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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

ARMENIA*

[14 July 1997]

* Information submitted by Armenia in accordance with the guidelines relating to the introductory parts of the reports of States parties is contained in the core document (HRI/CORE/1/Add.57).

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Article 1

1. It is impossible to speak of the realization of human rights and freedoms if the collective right of a people to self-determination is not recognized and, conversely, the right of self-determination cannot be realized if human rights are violated. In considering the means of guaranteeing the protection of the right of peoples to self-determination it is essential to take into account not only the rules of international law in general but also the specific character of the nation in question, for the right to self-determination is not vested in the State but in the nation or people. Hence it is not by chance that the question of self-determination generally arises when a people or nation finds itself in a position of dependence or when other forms of exploitation are practised in its respect and, consequently, when its status as a subject in law is not recognized by the dominant State.

2. Nagorny-Karabakh, which, like Nakhichevan, had formed an integral part of the Armenian State for thousands of years, was incorporated in the former Soviet Union in 1920 and, by an arbitrary decision of an unconstitutional and unauthorized party organ, the Caucasian Bureau of the Central Committee of the Russian Communist Party (Bolsheviks) dated 5 July 1921, was transferred to the Soviet Republic of Azerbaijan. The decision was taken by an entity which had no right to participate in the national State-building activities of another State and, consequently, constituted an act of gross intervention in the internal affairs of another sovereign Soviet Republic. As a result, the right of peoples to self-determination was flouted and the will of 95 per cent of the population of Nagorny-Karabakh and of the population of Soviet Armenia was not taken into consideration.

3. We may recall another historical fact: in 1920, the League of Nations, in response to the application for membership by the Republic of Azerbaijan, "expressed its negative attitude" in view of the absence of a "stable government" in the Republic of Azerbaijan and of its territorial claims in respect of neighbouring countries.

4. Within the Soviet Union, the Nagorny-Karabakh Autonomous Region acquired the status of an entity of the national-State system of the USSR as a federal union of States. As an autonomous national entity, the Autonomous Republic was represented in the highest legislative organs of the USSR. The region's borders could not be changed without its consent. Yet notwithstanding these guarantees, throughout the years of Soviet rule Azerbaijan, with the tacit support of the Kremlin, pursued a policy of displacement of Armenians and assimilation of non-Turkic peoples, as evidenced by the results of the all-Union population censuses of 1970 (vol. 4, Moscow, 1973, pp. 263-303) and 1989 (1979, Moscow, 1984, pp. 126-134). Changes in the national composition of the population of the Region from 1970 to 1989 are reflected in the following table:

Changes in the composition of the population 1970-1989 Nagorny-Karabakh					
	Population according to the 1970 census (thousands)	Population according to the 1989 census (thousands)	Anticipated increase 1970-1989 (thousands)	Actual increase 1970-1989 (thousands)	Difference between anticipated and actual increase (thousands)
Total	150.3	189.0	75.0	44.7	-
Armenians	121.1	146.4	60.0	25.3	-34.7
Azerbaijanis	27.2	40.6	13.5	13.5	0
Russians	1.3	1.4	-	-	-0.1
Other	0.7	0.5			

The decline in the Armenian population of the Autonomous Region by 34,700 persons over the period from 1970 to 1989 was the result of Baku's policy aimed at driving Armenians from the region.

5. A policy of "ethnocide" was methodically applied through the appropriation or destruction of monuments of Armenian culture.

6. It should be noted that military action took place for the most part within the territory of Karabakh and adjacent districts, where a large number of monuments of Armenian architecture are located. These monuments belong to different historical periods, from the early medieval temple of Amarasi where the founder of Armenian writing, Mesrop Meshtots, created a first school in the early fifth century, to the nineteenth-century church of Kazanchots in Shusha, the largest church in the whole of Transcaucasia. Regrettably it must be reported that during the conflict most of the Armenian historical monuments were damaged or entirely destroyed. For example, the dome of the Kazanchetsots church was destroyed by aerial bombardment, the medieval Armenian church of Arakyul in the district of Gadrut was blown up, etc. The district museums at Mardakert and Shaumyan were destroyed and the fate of the exhibits remains unknown, since the Armenian population of these districts has been deported.

7. At the same time the Karabakh side to the conflict, guided by humanitarian considerations, was able to protect and preserve monuments of Azeri culture (mosques at Shaumyan and Agdam and the mausoleum of Vasif).

8. In 1987 a conflict flared up in northern Artsakh when the Azerbaijani leadership tried to force Armenians in the village of Chardakhlu to hand over part of their land to a neighbouring Azerbaijani village. With perestroika beginning to take place in the USSR, the Autonomous Region of Nagorny-Karabakh in February 1988 applied to the Supreme Soviets of the Azerbaijan and Armenian Soviet Socialist Republics with a request "to consider and resolve in a

positive manner the question of the transfer of the Nagorny-Karabakh Autonomous Region from the SSR of Azerbaijan to the Armenian SSR".

9. On 1 December 1989, with a view to restoring historical justice, the Supreme Soviet of the Armenian SSR and the National Soviet of Nagorny-Karabakh adopted a decision to comply with that request. The decision was based on universally accepted principles of self-determination of nations and responded to the lawful aspiration to reunification of two forcibly separated parts of the Armenian people.

10. Azerbaijan countered the decision of the Supreme Soviet of the Armenian SSR by adopting a radically negative attitude. More than that, the political request of the Autonomous Region of Nagorny-Karabakh was followed literally only a week later by anti-Armenian pogroms and murders at the other end of the Republic, in Sumgait. This was the beginning of genocide and ethnic cleansing of Armenians from Azerbaijan. As a result, more than 350,000 Armenians fled from Azerbaijan, forsaking their homes and property. Meanwhile, 8 to 10 months after the expulsion of the Armenians, Azerbaijanis living in the Armenian SSR were selling or exchanging their dwellings and leaving Armenia.

11. In the spring of 1991, with the object of deporting the Armenian population, the Azerbaijani leadership, helped by Soviet troops, carried out with considerable cruelty the punitive operation against Karabakh code-named "The Ring". The final act of retribution against the blockaded Autonomous Region was interrupted in the summer of 1991 by the incipient collapse of the USSR.

12. Anti-Armenian pogroms at Sumgait (February 1988), Kirovabad (November 1988) and Baku (January 1990) and the deportation of the populations of 24 Armenian villages in 1991 testified to Azerbaijan's unwillingness and inability to ensure the safety of the population of Nagorny-Karabakh.

13. On 30 August 1991 the Supreme Soviet of the SSR of Azerbaijan proclaimed the restoration of the national independence of 1918-1920, thereby initiating the process of secession of the SSR of Azerbaijan from the USSR.

14. On 2 September 1991, proceeding on the basis of the USSR Act "On the procedure for treating matters arising from the secession of a Union Republic from the USSR", which gave autonomous entities and compactly settled nationalities the right to decide for themselves the question of their legal national status, a joint session of people's deputies of all levels of the Autonomous Region of Nagorny-Karabakh and the adjacent district of Shaumyan proclaimed the creation of the Republic of Nagorny-Karabakh.

15. The secession of the Autonomous Region/Republic of Nagorny-Karabakh from the Azerbaijan SSR/Republic of Azerbaijan and the holding of a referendum on independence in the presence of international observers took place before the de facto disintegration of the USSR. On the date on which the Republic of Azerbaijan obtained its recognition, the Republic of Nagorny-Karabakh no longer formed part of it. The establishment of the Republic of Nagorny-Karabakh was irreproachable from the point of view of standards of international law.

16. After the break-up of the USSR the Republic of Azerbaijan, pursuing its strategy of genocide of Armenians, launched a war of extermination of the peaceful population of the Republic of Nagorny-Karabakh and occupied 52 per cent of the Republic's territory. But the Armenians of Karabakh took up arms and withstood the onslaught, as they had done at the beginning of the century, and today Nagorny-Karabakh exists both de facto and de jure as an independent State entity.

17. Accordingly:

(a) Karabakh, within the borders of a territory recognized as being disputed by the League of Nations, never belonged to Azerbaijan within the true meaning of international law;

(b) Karabakh, as represented since 1991 by the Republic of Nagorny-Karabakh, has embarked upon the process of restoration of legitimate mutual relations in the region, which had been disturbed from the time of the Sovietization of Transcaucasia.

18. In accordance with article 1, paragraph 3, of the Covenant, considering the right of peoples to self-determination to be a legitimate means of realization of fundamental human rights, Armenia regards assistance to the realization of the right to self-determination anywhere in the world, including Nagorny-Karabakh, as one of the most important principles of its foreign policy.

Article 2

19. Human and citizens' rights are inalienable. This is confirmed by the Universal Declaration of Human Rights and numerous international conventions, as well as by the Basic Law of the Republic of Armenia, the Armenian Constitution. Immediately after the collapse of the socialist system, comparative international law began to be applied and developed in Armenia, becoming in its turn the basis for the application in Armenian law-making of international provisions and mechanisms which had been rejected in the past.

20. Like the Basic Law of every democratic country, the Constitution of the Republic of Armenia, the chief expression of the law-making activities of our country's legislative authorities, fulfils a twofold purpose:

(a) It confirms the status of the people as the sole source of power and guarantees internationally accepted human rights and freedoms;

(b) It defines the legal structures of the State and the corresponding mechanisms of people's power for the realization of human rights and freedoms.

21. On the basis of the Constitution and the laws, the State, as represented by its organs and officials, acts as the guarantor of the protection of human rights in accordance with the standards and principles of international law. The State is accountable to the citizen; it ensure the conditions for the free development of the individual and protects social stability, life, honour, dignity and liberty, inviolability of person and other civil rights and freedoms.

22. Article 6 of the Constitution proclaims that unpublished legal acts pertaining to human rights, freedoms and duties shall have no legal force. This means that in order to comply with a legal act, the individual must be acquainted with its contents, which in turn requires that the act in question be published. Consequently, if a legal act has not been published, it does not have to be complied with and no State organ or official may enforce its application.

23. The main human rights and freedoms recognized in international law are listed in chapter 2 of the Constitution, whose article 43, in particular, provides that the rights and freedoms set forth in the Constitution are not exhaustive and shall not be construed to exclude other universally accepted human and civil rights and freedoms. The said rights and freedoms can be classified in three groups: (a) political and civil rights and freedoms; (b) social, economic and cultural rights and freedoms; and (c) personal rights and freedoms.

24. Articles 15 and 16 of the Constitution define the main principles of enjoyment of social, economic and cultural rights and freedoms. Thus, article 15 sets forth the principle of equal rights of citizens. In particular, it provides that citizens, irrespective of their national origin, race, sex, language, creed, political or other persuasion, social origin, and property or other status, are entitled to all the rights and freedoms and are subject to the duties determined by the Constitution and the laws. Article 16 provides that all are equal before the law and shall be given equal protection of the law without discrimination. Here, in substance, we find the formulation of the duty of the State to guarantee the equality of citizens irrespective of their natural particularities and social status. First and foremost, inasmuch as the court of law is the most effective organ of protection and restitution of human rights and freedoms, this means equality before the courts in the event of a dispute or a breach of the law.

25. The list of characteristics in respect of which discrimination is prohibited is incomplete. The constitutional norm in question speaks of "other status", by which it means that other possible cases are not precluded. The principle of equality is protected by the legislation in force. For example, article 69 of the Criminal Code of the Armenian Republic provides for penalties in cases of national or racial discrimination.

26. Human and civil rights and freedoms are proclaimed both in a number of international documents and in legislative acts of the Republic of Armenia, in particular articles 29-37 of the Constitution.

27. Everyone is entitled to private property and inheritance. Article 28, which is, in essence, the prolongation and legal guarantee of article 8, develops this provision by providing a legal standard - which has a significance of principle - recognizing the right to property and to the free development and equal protection of all forms of property. The right to property is also set forth in the Armenian Civil Code, the Property Act and other legislative acts. Referring to article 28 of the Constitution, we wish to draw attention to the theoretical and practical significance of a constitutional standard which proclaims the right of everyone to private property and inheritance. First, the Constitution introduces the right to

private property and inheritance as a most important human and civil right into Armenia's legislative system. Second, private property is placed under the protection of the law. The same article contains yet another guarantee of the right to private property. Enforced alienation of property for the needs of society and the State is permitted only in exceptional circumstances, with due process of law and with prior equivalent compensation.

28. The right of every citizen to freedom of choice in employment is set forth in article 29 of the Constitution in accordance with article 23 of the Universal Declaration of Human Rights. The Constitution does not place the State under obligation to provide work for every citizen, as used to be the case, because under conditions of a free market and private enterprise the State is not capable in practice of providing employment for all. Article 29 also provides that everyone has the right to a fair wage not lower than the minimum wage established by the State and to working conditions which meet health and safety requirements. A new Labour Code in which the constitutional norms will be spelled out in greater detail is currently in preparation. Article 29 further provides for the right to strike as a means of defending the economic, social and labour rights of citizens.

29. The individual's right to rest, set forth in article 30 of the Constitution, is directly connected with the rights referred to above. Mechanisms for the realization of this right must be established on the basis of laws governing maximum working hours, time off and the minimum duration of annual holidays with pay. The right to rest is regulated in detail by articles 62-82 of the Labour Code. In practice, the right to rest extends to all citizens working on the basis of a contract of employment.

30. Article 31 of the Constitution sets forth another socio-economic right - the right to housing, as well as the right to an adequate standard of living and to the improvement of living conditions. The existence of this norm reflects the willingness of the State to ensure enjoyment of these rights by creating the necessary preconditions.

31. Matters pertaining to social and economic rights are regulated in greater detail by the relevant laws, and in particular by the Housing Code, which is to be reviewed in the near future.

32. Article 32 of the Constitution provides that the family is the natural and fundamental unit of society. The family, motherhood and childhood are placed under the care and protection of society and the State. The same article proclaims the equality of men and women. Viewing the family as an integral part of society, the State has an interest in creating strong families founded on equality of rights, mutual understanding and trust among the family members. This constitutional norm is spelled out in the Marriage and Family Code, a legislative act which regulates relations between spouses and within the family. After the adoption of the Constitution it became necessary to review the existing laws regulating relations within marriage and the family, not by radically altering them but by introducing new provisions adapted to the new conditions.

33. Article 33 of the Constitution establishes the right of everyone "to social security in old age and in the event of disablement, sickness, loss of

breadwinner, unemployment and other situations defined by law". Matters relating to this right are regulated by the State Pensions Act, whose article 4 provides for two categories of State pensions, work-related and social, each of which has subdivisions of its own.

34. A citizen acquires the right to a work-related retirement pension on reaching a certain age, whereas the right to a social pension extends only to those citizens who are unable to work. Where a citizen is entitled to more than one State pension, only one pension (of his/her choice) will be paid; as a rule, this does not disqualify the same individual from receiving non-State pensions. In addition, article 22 of the Employment Act provides for the payment of a benefit (dole) to citizens who acquire the status of unemployed persons in accordance with a procedure established by the same Act.

35. The right to achieve the highest level of physical and mental health and the corresponding means for the realization of this right are reflected in article 3 of the Constitution, which proclaims the right of everyone to the preservation of health. At the same time, the article proclaims the duty of the State to put into effect programmes for the protection of the population's health and the promotion of sports. Pending the adoption of a corresponding Act, the Constitution provides for the development of State programmes for the reduction of the disease rate and the strengthening of disease prevention measures for Armenian citizens. In step with the introduction of a market economy, medical assistance is ceasing to be free of charge. At the same time, the introduction of both compulsory and voluntary forms of medical insurance is being envisaged.

36. The rights of citizens to education are set forth in article 35 of the Constitution, which

(a) Recognizes the right of every citizen to education;

(b) Provides that education in State secondary educational establishments shall be free of charge;

(c) Proclaims the right of every citizen to receive higher and other specialized education free of charge on a competitive basis, as well as to establish and operate private secondary and higher educational establishments.

37. The principle of equality before the law for all without any discrimination is set forth in article 16 of the Constitution. The term "all" means that equality extends both to citizens of the Republic of Armenia and to foreigners and stateless persons residing in Armenian territory. This decision of principle set forth in the Basic Law will find its definitive formulation in subsequent legislative acts. For example, the urgent issue of the socio-economic status of refugees will be regulated by a Refugees Act currently in the final stage of elaboration.

38. It is worthy of note that in certain cases our law grants more extensive rights to foreigners than to Armenian citizens. Thus, the Enterprises and Entrepreneurial Activities Act provides for certain privileges in terms of taxes, customs duties and so on for enterprises established on the basis of investments from foreign individuals or legal entities.

Article 3

39. In Armenia there is no discrimination on grounds of national origin, race, sex, language, creed, political or other persuasion, social origin, property or other status (article 15 of the Constitution).

40. The legislative acts adopted by our National Assembly do not provide a clear-cut definition of the term "discrimination against women", but equality of rights of men and women is guaranteed by many provisions. Armenia has become a party to the following conventions guaranteeing the rights of women and their advancement:

- Equal Remuneration Convention, 1951;
- Discrimination (Employment and Occupation) Convention, 1958;
- Convention on the Nationality of Married Women of 1957.

The National Assembly is at present considering the ratification of two further conventions, namely, the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages of 1962 and the Convention on the Political Rights of Women of 1952.

41. Armenia does not have a special institution for the defence of women's rights. However, many government and non-government institutions - for example, the Ministry of Social Security and the recently established Centre for Democracy and Human Rights - do concern themselves with women's rights and problems. All mechanisms for advancement and development are equally accessible to men and women without any discrimination or preferential treatment whatsoever.

42. In Armenia there are no laws, regulations, policies or forms of action that discriminate against women. In actual fact, however, women are not sufficiently involved in public life, although the majority among them have received a higher education. The reason for this is that during the period of transition to a market economy the number of available jobs has drastically diminished, and women bear the brunt of this situation. The rate of unemployment is at present higher among women (67 per cent) than among men.

43. The Constitution guarantees the political, social and cultural rights of women. About 40 socio-political organizations are active in Armenia. Some of them, such as the Union of Women Scientists, the Union of Women Journalists and others, are established on a craft basis. Many other organizations pursue social and political activities such as preservation of the environment, protection of the mother and child, etc. There are also international women's organizations, to which many members of the Armenian diaspora belong.

44. Equality of women and men is directly reflected in articles 3, 4, 15 and 16 of the Constitution and is proclaimed indirectly in a number of others. Women have the same right as men to vote and to be elected to every public office. This right is guaranteed by articles 17 and 64 of the Constitution.

45. Article 3 of the Constitution provides as follows: "Elections of the President, the National Assembly and local bodies of self-government of the Republic of Armenia, as well as referendums, shall be held on the basis of the right to universal, equal and direct suffrage by secret ballot".

46. The number of women in government, the National Assembly and other government agencies is fairly large, but there are considerably fewer women than men occupying leading positions. The proportion of women in posts of highest responsibility is not more than 5.2 per cent; in the medium and lower ranges of government posts it averages 38 per cent.

Membership of the National Assembly, by gender				
	1980	1985	1994	1995/96
Women	121	121	9	12
Men	219	219	240	190

47. One of our ministries, the Ministry of Social Security, is at present headed by a woman. The small number of women in the highest range of government posts must not be regarded as the result of a deliberate limitation. Citizens of the Republic of Armenia are equal before the law irrespective of the circumstances in which their citizenship was obtained, their nationality, race, gender, language, religious or political views and social origin, and have the same rights and duties under the Constitution. A woman having Armenian citizenship who marries a citizen of another country does not forfeit her citizenship, and vice versa. The Criminal Code provides penalties in the following cases, which are considered to constitute discrimination: (a) obliging a woman to engage in sexual cohabitation; (b) preventing a woman from marrying; (c) refusal to employ a pregnant woman; (d) coercing a woman to interrupt her pregnancy.

48. Women and men receive equal pay for equal work and enjoy the same rights (article 83 of the Labour Code). Women and men have the same rights to free movement and choice of place of residence. Men and women have the same rights in respect of family allowances, bank loans, mortgages and other forms of financial credit. Women and men in Armenia have equal rights to education and choice of a career. Women are more numerous than men in our higher educational establishments, and women have the same opportunities as men to choose their careers.

Article 4

49. Human and civil rights and freedoms must be guaranteed so that they become accessible to all and so that the State is obliged to ensure their existence and enjoyment. The best way of achieving this is to preserve the unity of the nation's legal system, which is founded upon a system of legal instruments based on the Constitution. If the unity of this system is infringed by a large number of subjects of law, the duty of the State to ensure human rights and freedoms is violated.

50. Articles 23-27 of the Constitution provide restrictions of certain basic human and civil rights and freedoms, such as freedom of thought, conscience and religion and the right to assert one's opinion, to form associations, to hold peaceful meetings, rallies, demonstrations and processions and to participate in the Government of the State directly or through representatives. These freedoms and rights may only be restricted by law and their restriction may take place only where it is essential to the preservation of State security, public safety, the protection of public property, public health and welfare, or the protection of the honour and dignity of the individual.

51. Certain human and civil rights (there may also be exceptions) can be temporarily restricted, in accordance with procedures established by law, in a situation of martial law or of an emergency which directly threatens the constitutional order. However, such "temporary restriction" does not extend to the right to life, the right not to be subjected to torture and cruel or degrading treatment, the right not to form the subject of medical or scientific experiments without one's consent, the right not to be subjected to unlawful interference in one's private life, the right to protection of one's honour and dignity and to the restitution of one's good name by a just and impartial court, the right not to be found guilty before sentencing by a court of law, the right not to testify against one's husband or next of kin, and others.

52. Thus, even in the event of a military coup, restrictions of human and civil rights are possible only on the basis of the law; in an emergency which directly threatens the constitutional order, such restrictions may be imposed by certain competent State organs which, within the limits of their competence, may, by their actions, limit the exercise of these rights in specific situations.

53. Restrictions of economic, social and cultural human rights are unacceptable under Armenian law. Certain restrictions to be found in Armenian law do not relate to any specific social or cultural right but are directly contingent upon such rights. In particular, article 8 of the "Export and Import of Cultural Treasures Act" lists the cultural treasures that may not be exported from Armenia (except for purposes of exhibition and subject to obligatory return).

Article 5

54. Article 38 of the Constitution provides that everyone is entitled to defend his or her rights and freedoms by all means not prohibited by law. Everyone has the right to defend in court the rights and freedoms enshrined in the Constitution and the laws.

55. There exist many different mechanisms for the defence of citizens' rights, including surveillance by the Prosecutor's Office, intervention by administrative organs in accordance with procedures established by law, etc. However, the article refers specifically to courts of law because there may be

cases where human rights are violated precisely by officials from other organs of authority. More detailed regulation of such situations will be achieved in the process of improving the legal system as a whole.

56. One of the functions of the Constitution is to establish and define certain State institutions which are of fundamental importance to every citizen as well as to the whole of society and to the nation at large. That is why the Constitution proclaims human and civil rights and freedoms whose presence in the existing legal relations enables the citizen to enjoy such rights and freedoms.

57. Article 43 of the Constitution provides: "The rights and freedoms set forth in the Constitution are not exhaustive and shall not be construed to exclude other universally accepted human and civil rights and freedoms". To include in the Constitution an exhaustive list of human and civil rights, even if it were possible, would run counter to the very essence of the Constitution and would impede the further development and transformation of human rights and freedoms. It would also predetermine the scope of future legal regulation of all kinds of relationships that may arise in the course of development of society, thus preventing the emergence and legal proclamation of new rights and freedoms.

58. The said article of the Constitution is also important because it reflects Armenia's de facto recognition of other human and civil rights determined by international standards.

Article 6

59. Employment in the Republic of Armenia is regulated by the Constitution, the new Employment Act which entered into force on 1 January 1997, Armenian labour laws, international treaties and other legislative instruments.

60. Every citizen of Armenia has the right to choose his/her profession or occupation. Unfounded refusal to hire a person is prohibited. Armenian citizens as well as foreign nationals and stateless persons residing in the territory of the Republic are entitled to free choice of their working and non-working activities. Citizens aged 16 or over have the right to hire themselves out for work.

61. Persons aged 16 or over who are capable of working and who, irrespective of whether or not they are already employed, have applied to the State employment service with a view to finding employment, are considered to be in search of employment.

62. Persons not in employment (women aged 16-63, men aged 16-65) who are capable of working and are seeking employment, are not in receipt of any pension under Armenian law, have a record of employment of at least one year, and have applied to the State employment service with a view to finding a job, thereby obtaining unemployed status, are considered to be unemployed. The State employment service must grant unemployed status, not later than 10 days from the date of presentation of the necessary documents, to persons not in employment who are seeking work.

63. Persons in search of employment and unemployed persons are guaranteed the following:

(a) A free vocational guidance consultation and free information about vacant jobs;

(b) Free assistance in choosing and obtaining suitable work;

(c) The right to appeal to the courts against actions on the part of the State employment service and its officials or of employers.

64. Unemployed persons are also entitled to:

(a) Retraining in another profession or trade, or advanced training in their own profession or trade;

(b) Financial support if sent to a different place of work;

(c) The opportunity to take up entrepreneurial activities, or allocation of the necessary financial means from the State Employment Fund for the purpose of job creation.

65. Persons having unemployed status are guaranteed the following welfare benefits:

(a) An unemployment allowance (dole), the period during which a person receives this allowance being counted as part of his/her overall employment record;

(b) A grant during the period of retraining or advanced training, the duration of which is included in the overall employment record.

66. Armenian citizens have the right to work and to receive professional training, advanced training or retraining in other countries.

67. A special programme of individual rehabilitation has been elaborated with a view to developing the creative and professional abilities of disabled persons. Under this programme, disabled persons are provided with work under normal working conditions in enterprises, institutions or organizations. They are entitled to be hired for work by enterprises, production sectors and workshops employing specialized labour by disabled persons (including production training), and also to engage in entrepreneurial activities and other activities not prohibited by law.

68. Refusal to hire, refusal of promotion, dismissal or transfer to other work at the administration's initiative are prohibited on grounds of disablement except in cases where a medical board concludes that the state of the disabled person's health does not allow him/her to perform the professional duties in question or endangers the health of other persons or labour safety in general. Persons having received medical, professional or social rehabilitation may not be dismissed from work without special grounds.

69. With a view to the employment of disabled persons, the Government sets fixed employment quotas for employers or creates new jobs. An employer who, for any reason, fails to meet the established employment quotas or to create the appropriate number of new jobs must pay into the State Employment Fund a fine corresponding to the average annual wage of one of its employees for each job not filled or not created. Also with a view to the employment of disabled persons, the State employment service may, with an employer's consent, create a specialized establishment within an enterprise or organize vocational training for disabled persons, to be paid for by the Employment Fund or out of the budget of the local organs of self-government.

70. Republic-wide and regional coordinating committees composed of equal numbers of plenipotentiary representatives of public organizations and of the executive authorities to protect the interests of both workers and employers, as well as of representatives of the State employment service, may be set up for the purpose of developing and implementing programmes to regulate the employment of the population. Procedures for setting up such coordinating committees and organizing their activities are established by mutual agreement.

Article 7

71. According to article 29 of the Constitution, everyone is entitled to a fair wage not below the minimum established by the State and to working conditions which meet the requirements of safety and hygiene.

72. The Labour Code provides that all workers, whether blue-collar or white-collar, are duty-bound to do their work conscientiously, comply with labour discipline, take care of national property, exercise professional skills and endeavour to improve the quality of their work and the products thereof. The wages of both blue-collar and white-collar workers are commensurate with the quality and quantity of their work. Any wage reduction operated on grounds of sex, age, race or national origin is prohibited.

73. Notwithstanding the collapse of the former centralized planning system, the changes that have taken place in the economic and social sphere and the introduction of a market economy, no radical change has occurred in labour relations, working conditions and labour hygiene. State regulation in these areas has not been introduced to date and these matters continue to be dealt with by a public organization, the Confederation of Armenian Trade Unions.

74. The following steps are envisaged in the sphere of labour safety:

(a) Improvement of the system of laws governing this problem;

(b) Establishment of a State system of control, surveillance and monitoring of labour safety;

(c) Introduction of a system of certification of jobs and enterprises in accordance with international standards of labour safety and protection of labour.

75. The following steps are envisaged with regard to international cooperation:

(a) Preparation of draft treaties and conventions in the area of international employment, as well as of conventions in the area of international cooperation on refugee issues and social welfare problems and joint action to implement such conventions;

(b) Submission of proposals by Armenia in connection with the ratification of international conventions and other international instruments in the fields of labour and workers' welfare.

76. In connection with the implementation of these projects, a draft Labour Protection Act and a draft statute for a labour inspection service have been submitted to the National Assembly and the Government. Proposals on the following subjects have been prepared and submitted in compliance with government instructions:

(a) Improvement of social benefits for personnel of the tuberculosis control service of the Ministry of Health;

(b) Implementation of the Act "On the Epidemiological Protection of the Population of Armenia";

(c) Questions pertaining to social insurance of State employees;

(d) Development of entrepreneurship at the level of small businesses.

77. Sociological studies based on questionnaire data have been conducted in connection with the proposed agreement between the Government and the trade unions with a view to improving the administrative structure.

78. All foreign embassies in Armenia have been provided with explanations concerning the regulations in force with regard to employment, social insurance, labour relations, etc. Numerous decisions concerning laws on working conditions, pension privileges, etc. have been discussed and approved by the Board of the Ministry of Social Insurance.

79. The Government has adopted decisions on certain special measures in connection with the protection of the rights of women, protection of the mother and child, and strengthening of the family.

80. Documents relating to the certification of jobs and enterprises in accordance with international standards are currently under elaboration.

81. The length of the working week at enterprises, institutions and organizations may not exceed 41 hours.

82. Under article 30 of the Constitution, everyone is entitled to rest. According to Armenian labour laws, workers (blue-collar and white-collar) are allowed a dinner and rest break of not more than two hours. The break does not form part of the working hours. The worker may use the break as he/she chooses. During the break, he/she may leave the place of work.

83. Workers have two days off a week where a five-day week is worked and one day off where a six-day week is worked. A continuous weekly rest period of at least 42 hours must be allowed. Work on a day off is compensated by another day off within the next two weeks or, by agreement between the parties, by double pay.

84. Work on official holidays is permitted where an interruption is impossible for technical reasons (enterprises, institutions and organizations operating round the clock, public utilities, urgent repairs, urgent loading or unloading operations) and is paid double.

85. All workers are granted annual leave during which they retain their job and their average wage.

86. Sick leave and maternity leave granted in accordance with established procedures are not counted as part of annual leave. Leave may not be compensated by a money payment except where a worker is dismissed when he/she has not used up his/her annual leave.

Article 8

87. Every condition necessary for forming and joining trade unions exists in Armenia as of now. The Code of the Armenian Soviet Socialist Republic, as amended, and the Constitution are regarded as the legal standards applicable in this sphere.

88. An important step towards guaranteeing free and concerted trade union activities has been the Presidential Decree "On guaranteeing trade union activities under market economy conditions". Pending the enactment of new laws, this decree upholds the rights of trade unions and provides guarantees for their successful operation.

89. The right to form or join trade unions is not subject to any restrictions in Armenia. However, article 25 of the Constitution provides that the right to join associations, including trade unions, may be restricted for persons serving in law enforcement organizations or in the armed forces. The Political Organizations Act provides that staff members of the Ministries of Justice and Internal Affairs, the Committee of National Security, the Prosecutor's Office, the State Arbitration Commission, judicial organs and the customs service, as well as citizens serving in the armed forces, may not be members of public or political organizations during their period of service or employment in those organs. The object of these restrictions is to prevent the armed forces and judicial organs from becoming politicized and to rule out the possibility of their exerting an influence on political processes.

90. The Armenian Government protects the right of trade unions to join international trade union organizations without any restriction.

91. The Confederation of Armenian Trade Unions, craft councils and the committees of nationwide trade unions are cooperating closely with the National Assembly and the Government in the task of providing legal guarantees for trade union activities. Drafts of the following new laws have been

submitted to the National Assembly: Trade Unions Act; Collective Agreements Act; Strikes Act. Discussions with the trade unions on a Labour Laws Act are taking place.

92. The Confederation of Armenian Trade Unions has proposed the ratification of a number of ILO Conventions, of which only the following six have been ratified:

Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively

Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value

Convention No. 111 concerning Discrimination in Respect of Employment and Occupation

Convention No. 122 concerning Employment Policy

Convention No. 135 concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking

Convention No. 151 concerning Protection of the Right to Organize and Procedures for Determining Conditions of Employment in the Public Sector.

93. Today, the Confederation of Armenian Trade Unions includes 26 national, 21 city and 210 district craft trade unions and committees and 8,749 primary trade union organizations totalling 916,825 members.

94. The third paragraph of article 29 of the Constitution refers to the defence of citizens' economic, social and work interests. The procedure for the settlement of individual labour disputes is established in accordance with the labour laws currently in force. As for collective labour disputes, the right to settle them by so extreme a measure as a strike is provided at constitutional level for the first time in the history of Armenian law. The procedure for the exercise of this right and restrictions thereof are determined by law.

95. The Act "On the Settlement of Collective Labour Disputes" has not yet been adopted. The draft of this Act prohibits cessation of work as a means of settling a collective labour dispute in enterprises where an interruption of work would endanger the life and health of individuals. The draft also prohibits cessation of work in those subdivisions of the defence system which are directly engaged in the production of essential goods from the point of view of national defence and in government organizations responsible for the performance of national defence duties.

96. The workforces of the said organizations have the right to apply to the President in defence of their lawful rights and interests. The President must examine their requests and take an appropriate decision within a period of one month.

Article 9

97. Article 33 of the Constitution, which forms part of a chapter bearing the title "Fundamental Human and Civil Rights and Freedoms", provides that every citizen is entitled to social security in old age, disablement, sickness, loss of breadwinner, unemployment and other cases prescribed by law.

98. Armenia's social welfare system, adopted under a presidential decree in 1991, is composed of two main sectors: (a) pensions and (b) sickness and maternity allowances.

99. Social insurance is guaranteed for Armenian citizens by the new State Pensions Act adopted by the National Assembly in December 1995. Under this Act, every citizen of the Republic of Armenia is entitled to social insurance. The following types of pensions are established by law:

(a) Pensions based on employment:

(i) Retirement pension;

(ii) Special retirement pension;

(iii) Long-service pension;

(iv) Disablement pension;

(b) Welfare pensions:

(i) Old-age pension;

(ii) Disability pension;

(iii) Pension in the event of loss of breadwinner.

100. Foreign citizens and stateless persons residing in Armenian territory are also entitled to social insurance. All citizens who have paid social insurance contributions in accordance with the procedure established by law are entitled to a work-related pension.

101. The contribution amounts are established by law. Since 1996 and until 2011 they correspond to 1.3-5.8 per cent of the wage, the employer's contribution in the same period of time being between 20 and 35 per cent. The pension fund is thus made up of compulsory employers' payments, the contributions of working citizens, budget appropriations, etc.

102. In addition to the right to a State pension, Armenian citizens also have the right to conclude supplementary pension insurance agreements with government or non-government insurance agencies.

103. Under the new Act, the following persons are entitled to a retirement pension:

(a) Women upon reaching the age of 63 and men on reaching the age of 65 with a work record of at least five years;

(b) Women from age 53 (men, 58) with a work record of at least 15 years if they have been working in particularly difficult and unhealthy conditions;

(c) Women from age 55 (men, 60) with a work record of at least 20 years if they have been working in difficult and unhealthy conditions;

(d) Women from age 58 who have borne and raised four or more children, if they have a work record of at least five years.

104. Long-service pensions are paid to certain categories of workers (in education, culture, civil aviation, persons with significant achievements in sport). The retirement age for this category of workers is 45-55 years and the requisite work record is 20-30 years.

105. Welfare pensions are paid to citizens (women from age 63, men from age 65) not entitled to a work-related pension.

106. The degree and causes of disablement are determined by special medical boards. Three degrees of disablement (first, second and third) are recognized. The degree of disablement of children below the age of 16 is determined by the public health authorities. Work-related disability pensions are paid to citizens with a work record of at least five years, failing which they receive a welfare disability pension. Disability pensions are granted regardless of the disabled persons's age.

107. In the event of loss of breadwinner, minor children are granted a pension until they reach the age of 18.

108. All types of pensions are determined by the Government on the basis of a minimum pension to which a supplement is added for every year of work. The Government determines the amount of the minimum pension and of the supplement. Working pensioners receive the full pension awarded to them, irrespective of the type of pension.

109. The unemployment allowance (dole) is paid by the State employment service from the date a person is recognized to have unemployed status. Persons who lose their job on the employer's initiative or for any reason other than infringement of labour discipline, and who apply to the State employment service within 30 calendar days of the date of dismissal, are entitled to receive an allowance in the amount of the minimum dole. Persons who leave their job on their own initiative and persons who do not fall into either of the above-mentioned categories are entitled to receive allowances

amounting to 80 per cent of the basic dole. The amount of the basic dole is determined by the Government. The period of payment of the dole is five months. For persons with a total work record of at least five years, the period of payment of the dole is extended by one calendar month for every five years of work. The dole is not paid for longer than 12 months.

110. Persons in unemployed status are entitled to receive 100 per cent of the dole if they are not more than one year from their age of retirement and if their total work record entitles them to receive the dole for 12 calendar months. In this event they are entitled to an early pension.

111. Persons who apply for unemployed status more than once are entitled to the dole if they have had a work record of at least seven months during the year preceding their application to the State employment service.

112. Unemployed persons directed to undergo retraining by the State employment service receive a grant amounting to 120 per cent of the basic dole during the training period.

113. State regulation of the population's employment is financed by the State Employment Fund. The Fund is made up of:

(a) Compulsory insurance contributions by employers;

(b) Compulsory insurance contributions deducted from wages;

(c) Additional contributions by employers; 1/

(d) Appropriations from the national and regional budgets;

(e) Voluntary contributions from employers, public organizations, political parties, individuals in Armenia and elsewhere and other sources.

114. An insurance policyholder who has regularly paid the insurance contributions and who falls ill is entitled to receive a temporary sickness benefit. In the event of illness or injury, this benefit is paid starting from the first day of loss of working capacity until the date on which working capacity is recovered or on which a special medical board determines the patient's degree of disablement. The costs are paid by the employer. The temporary sickness benefit corresponds to between 60 and 100 per cent of the

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1/ These are fines paid for failure to provide jobs according to the established quota (in the amount of the annual wage of one worker of the enterprise) and fines for reducing the number of jobs or work assignments (in the amount of the average monthly wage of one worker of the enterprise).

The following medical and preventive facilities are financed out of social insurance funds; treatment at sanatoriums and health resorts; recreational facilities. With the consent of the Government and the Confederation of Armenian Trade Unions, up to 16 per cent of the actual income of the State Social Insurance Fund is assigned to these ends.

wage, depending on the length of the work record and the amount of the wage. In the event of injury sustained at work or of an occupational disease, or if the person is employed underground, the temporary sickness benefit corresponds to 100 per cent of the wage irrespective of the length of the work record or the amount of the wage.

115. Women (in employment or studying) are entitled to a pregnancy and confinement allowance for 20 to 26 weeks depending on whether complications arise during confinement or whether the birth is a multiple one. This allowance is paid in the amount of 100 per cent of the wage. Under the existing law, a one-off allowance is paid to every woman who gives birth irrespective of whether she is in employment.

116. In the event of death, a burial allowance is paid to working persons, persons on study leave and their dependants.

117. A monthly child allowance is paid to one of the (working) parents until their child reaches the age of six and to handicapped children, orphans and single mothers, and families with four or more children until the children reach the age of 17 or, if studying, 18 years.

118. A system of privileges for certain social groups is in force in Armenia in accordance with the law. Under the Disabled Persons Welfare Act (1993), disabled persons enjoy the following privileges:

(a) Use of urban and suburban passenger transport free of charge and of inter-city transport with a reduction of 50 per cent;

(b) Those in categories I and II obtain medicines on prescription from State pharmacies free of charge, those in category II with a reduction of 50 per cent. Such disabled persons also pay 50 per cent of the charge for housing, utilities, telephone and radio.

Disabled children and those disabled since childhood also enjoy the above-mentioned privileges in respect of transport and medicines. Disabled persons in all categories who require artificial limbs, orthopaedic aids and other equipment designed to facilitate a disabled person's life (hearing aids, wheelchairs, etc.) obtain them without charge.

119. Veterans of the Second World War are entitled to free use of all urban and suburban transport (except taxis) and to a 50 per cent reduction of the cost of international transport. Medicines on prescription are issued to them free of charge. They are also entitled to reduced charges for housing and utilities. Widows of men killed in the Second World War enjoy the same privileges as veterans, and widows of persons disabled in the war are treated the same as the war disabled themselves. Disabled veterans in categories I and II are entitled to use railway transport in the territories of CIS countries free of charge once a year and air transport with a 50 per cent reduction. Veterans and disabled persons in category III may use both railway and air transport with a 50 per cent reduction.

120. Families of military personnel disabled or killed in defence of the Republic of Armenia enjoy the following privileges under the 1993 Act "On social welfare for military personnel and their families":

(a) Free use of urban, suburban and international passenger transport;

(b) A 50 per cent reduction of housing and utility charges;

(c) Free medicines on prescription.

121. Persons with the title of Heroes of the former USSR, Heroes of Socialist Labour and holders of the Order of Glory, category III, also enjoy privileges on the same footing as disabled veterans of the Second World War.

122. Privileges for non-working pensioners living alone have been introduced by a presidential decree of 1992. Such persons are entitled to obtain permanent urban transport passes at 50 per cent of the normal price. They pay 50 per cent of housing, utility, telephone and radio charges and obtain medicines on prescription with a reduction of 30 per cent.

123. Under the Refugees Act of 1994, persons having refugee status enjoy the following privileges:

(a) Free use of urban, suburban and international passenger transport;

(b) A 50 per cent reduction in housing and utility charges;

(c) Medicines on prescription at 50 per cent;

(d) Grant of a plot of land for the construction of an individual dwelling and preferential credit terms.

124. Former "personal pensioners" enjoy only one privilege, that of a 50 per cent reduction on housing and utility charges.

125. One of the parents of a family of five or more children is entitled to free use of urban passenger transport. Persons being cared for in children's homes or homes for the aged enjoy the same privileges. Children below the age of seven travel free of charge in Armenian territory.

126. Social service centres designed to assist individuals and population groups not protected by social welfare schemes have been in existence since 1993. Their activities are directed towards providing persons in this category with the basic necessities of life and creating conditions for their social adaptation.

Article 10

127. A new Marriage and Family Code is currently being drafted. Under the legislation in force, the legal regulation of marriage and family relationships is the exclusive responsibility of the State. Registration of marriage is designed not only to promote the interests of the State and society but also to protect the interests, rights and personal property of the

spouses and their children. Only civil marriage registered in a State registry office entails reciprocal rights and duties for the spouses. Engagement and marriage rites have no legal force.

128. The established marriageable age is 17 years for women and 18 years for men. In exceptional cases, however, it may be lowered by one year (article 15 of the existing Marriage and Family Code).

129. Marriage may not be contracted:

Between persons even one of whom is already registered as married;

Between relatives in the direct ascending or descending line of kinship;

Between full or half brothers and sisters;

Between adoptive parents and adoptive children;

Between persons even one of whom is recognized by a court of law to be irresponsible for reasons of feeble-mindedness or mental illness.

130. A marriage is registered at a registry office not less than one month after the submission of the application. This period may, for cogent reasons, be reduced or extended to three months (art. 13).

131. On contracting marriage, the spouses may choose the family name of one spouse as their joint family name, or else each spouse may choose to keep the family name he/she held before marriage (art. 18).

132. From the moment of contracting marriage, the spouses acquire equal rights and continue to hold those rights until the marriage is dissolved. Each of the spouses is free to choose his/her occupation, profession or trade and place of residence (art. 19).

133. Property acquired during cohabitation is shared equally, some preference being given, however, to the spouse who assumes the care of the children. When a marriage is dissolved, the rights of the children are considered to have priority.

134. A parent, irrespective of sex, is obliged to pay maintenance for the children of the marriage after the marriage has been dissolved he/she resides separately from them. The amount of maintenance is determined in accordance with the parent's income (art. 21).

135. Polygamy is prohibited by law (Criminal Code, art. 113) and is punished by deprivation of liberty for a maximum of three years or by dismissal from work for a maximum of one year.

136. Women have the same right as men to apply for divorce and for custody of their children. They are also entitled to remarry.

137. The spouses are obliged to give each other financial support. In the event of refusal to provide support, a spouse incapable of earning a living

(or a wife during pregnancy and for one and a half years after giving birth) is entitled to claim maintenance from the other spouse through the courts. This right is not affected by divorce (art. 25).

138. The dissolution of a marriage when both spouses are living is pronounced by a court of law upon application by one or both of the spouses. A husband may not, without the wife's consent, apply for divorce during her pregnancy and for a period of one year after the birth of the child (art. 21). In deciding to dissolve a marriage, the court takes steps to protect the interests of minor children and of a spouse unable to earn a living (art. 33).

139. An extensive network of special services exists to deal with various problems arising in connection with maternity care. Regional polyclinics provide advice services for women and have maternity departments; general hospitals have maternity clinics.

140. Women are entitled to paid leave during pregnancy (70 calendar days before confinement) and to two years' maternity leave with partial payment of wages (child-care allowance) and with certain privileges.

141. A pregnant woman may not be dismissed from work on the administration's initiative or transferred to lower-paid work without her consent. Pregnant women and nursing mothers may not work overtime or at night. Nursing mothers are granted special nursing breaks on top of the regular dinner break in accordance with a special work schedule (Labour Code, arts. 184-193, and resolution No. 267 of the National Assembly). A woman retains the right to receive financial support from her former husband during pregnancy and for 18 months after confinement if the pregnancy occurred before the dissolution of the marriage (art. 26).

142. A child receives Armenian citizenship regardless of the place of birth if the parents are citizens of Armenia; if only one of the parents has Armenian citizenship while the other is a national of another country, the citizenship of the child is determined by written agreement between the parents. In the absence of such agreement, the child, if born in Armenia, is given Armenian citizenship. Where the child's parents are married to each other, the question of its citizenship may, in the absence of a joint declaration by the parents, be decided by a court of law upon application by one of the parents, the person appointed to act as the child's tutor or guardian, or by the child itself upon coming of age (art. 53).

143. Where paternity has been established, children born out of wedlock have the same rights and duties vis-à-vis their parents and relatives as children of parents who are married to each other (art. 54). Where no civil marriage between the parents exists, paternity is established on the basis of a joint declaration submitted by the parents to the registry office.

144. The child's family name is determined by the family name of the parents. Where the parents have different family names, the child is given the family name of one of the parents by mutual agreement between them. In the case of a dispute between the parents, the question is settled by the guardianship and tutorship authority (art. 59).

145. Parental rights cannot be exercised to the detriment of the child. It is the duty of parents to protect the rights and interests of their minor children. The parents are the legal representatives of their minor children and act in defence of the latter's rights and interests without special powers of attorney before all institutions, including courts of law (art. 61).

146. The parents, or only one of the parents, may be deprived of parental rights if they evade their duties in respect of the children's upbringing or abuse their parental rights (treat the children cruelly, exercise a harmful influence upon the children through their own amoral or antisocial behaviour), or if they are chronic alcoholics or drug addicts. Parents have the right personally to bring up their children until their majority, which at the same time means that they have duties in connection with the children's upbringing. Parents can be deprived of parental rights only through the courts and only in cases specified by law (art. 68). Being deprived of parental rights does not release parents from the duty to maintain the child (art. 70).

147. Children have equal rights irrespective of nationality, race, sex, language, religion, social origin, property or other status, education, place of residence, circumstances of birth, state of health or other factors (article 4 of the Rights of the Child Act).

148. Article 8 of the same Act provides that every child has the right to the conditions of life necessary for his/her physical, mental and spiritual development. The main responsibility for providing the child with the main necessities of life is incumbent upon the parents or other legal representatives. In the event of incapacity or inability of the parents or other legal representatives to provide the child with the necessary living conditions, the State assumes responsibility for his/her care (art. 12).

149. Children have the right to be recognized by their parents and to reside with them except in those cases, established by Armenian law, where living separately from the parents or parent is considered necessary in the child's interests.

150. Under article 13 of the Act, children are cared for and brought up within the family, the responsibility for this being incumbent upon the parents or other legal representatives as well as upon the relevant organs of the State. They create the conditions necessary for the child's full development, upbringing and education, for maintaining its health, and for preparing it to lead an independent life within the family and in society. With a view to ensuring that the child receives satisfactory care and upbringing within the family, the State and its relevant organs must assist the parents or other legal representatives and must cooperate with the psychological, pedagogical and advisory services.

151. Article 14 of the Act is concerned with the protection of the rights and lawful interests of children by their parents. Children who have lost both parents (full orphans) are provided with housing on a priority basis.

152. Article 19 provides that only persons who have reached the age of 16 may be hired for work. Children aged 15 may be employed only in exceptional

cases. Children are entitled to preferential working conditions, as provided by law. Minors may not be employed for work connected with the production and storage of, or trade in, alcoholic beverages and tobacco goods or for work that may harm their health or physical or mental development or interfere with their schooling.

153. Article 22 establishes the right of the child to protect his/her honour and dignity. Article 23, entitled "Protection of the security of the child", guarantees the safety of children in Armenia. Illegal transfer of children (including migration to other countries), kidnapping and selling or buying a child entails criminal liability in accordance with the law.

154. Article 24 establishes the right of children left without parental care to the protection, guardianship, upbringing and assistance of the State and its relevant organs, which must arrange for the children's adoption or place them in an appropriate children's establishment. Under article 28, the State must provide immediate assistance free of charge to children who find themselves in an emergency situation by taking steps to transfer them from areas dangerous to their health, reunite them with their families and provide them with the necessary medical assistance and services.

155. Article 29 prohibits the participation of children below the age of 15 in military operations. In times of armed conflict, the State and its organs must give children special protection. The right of the child to personal inviolability is guaranteed by law.

156. Children cannot be arrested, searched or placed in custody except under a court order and in accordance with the procedure established by law. If a child is detained or placed in custody, the parents or other legal representatives must be notified immediately. Children sentenced to deprivation of liberty are entitled to appeal against the sentence in accordance with the procedure established by law. Persons who commit a capital crime before reaching the age of 18 cannot be sentenced to death.

157. Children are not obliged to testify against themselves, their parents or their close relatives. Obtaining evidence or an admission of guilt from a child through the use of force, threats or other unlawful acts is prohibited.

158. Article 32 protects the rights of children placed in special educational and labour establishments. Children are placed in such establishments only by decision of the court upon application by the local organs of self-government. The object pursued by special educational establishments is to reform and re-educate the child.

159. In actual fact, owing to the difficult economic situation, certain rights of the child are not being upheld; for example, child allowance is being paid only up to the age of six.

160. Article 3 of the Rights of the Child Act provides that the State, through its relevant organs, must cooperate with public associations, non-governmental organizations and private individuals concerned with the protection of the rights of the child.

Article 11

161. As a result of the collapse of the Soviet Union, as well as of the conflict in Nargorny-Karabakh, production in Armenia fell sharply and the country's economy broke down almost completely. In the period between 1992 and 1994, consequent upon a production drop of 60 per cent, family incomes and the standard of living declined. Wages failed to grow proportionally with hyperinflation, State subsidies for food and energy were reduced and the infrastructure ceased to function. Inflation had risen by 1,100 per cent over the previous year's level by the end of 1992 and by 1,860 per cent in 1993. GDP fell from 52 per cent of the previous year's level in 1992 to 15 per cent in 1993, amounting to US$ 651 million in 1994 (per capita GDP in 1994, US$ 174). The economy was eventually stabilized thanks to the Government's economic policy and to the adoption of a national currency (the dram) in 1993. Research carried out by the World Bank in 1994 and 1995 revealed that the most extreme aspects of the population's impoverishment and of the decline in the standard of living during that period were due to a sharp drop in real wages, the abolition of subsidies for essential goods and a marked reduction in social insurance benefits.

162. Although the Government raised the minimum wage several times, the real wage declined by 60 per cent in 1992, 42 per cent in 1993 and 76 per cent in 1994. Even with the positive growth of 1993-1995, which somewhat improved the situation, the real wage was still only one fifth of that of 1991.

Average monthly wage, 1992-1995
(January 1990 = 100)

	1992	1993	1994	1995
Real minimum wage	1 307	735	47	37
Real average wage	841	490	118	139
Nominal average wage	6	7	7	15

163. Large-scale subsidies were introduced from 1993 and the prices of selected first-necessity goods and services have been regulated. Subsidies for certain foodstuffs (essentially bread) were introduced in the hope of maintaining the standard of living of the poorest sections of the population, most low-income families having increased their bread consumption in order to survive. Compensatory payments were also introduced by the Government, but these were not correctly distributed. The heavy pressure on energy subsidies was relieved to some extent by distributions of free kerosene to the poorest sections of the population by charitable organizations.

164. Reductions in expenses on social services, including costs in the areas of public health, education and culture, contributed towards a significant lowering of the standard of living. These expenditures fell to their lowest level because the enormous inflation reigning in the country in 1994 made it impossible for the Government to stop its subsidies from losing their value.

165. In July 1995 the old-age pension in Armenia was US$ 5.00. Government per capita expenditure on health and education fell to US$ 2.60 (according to data for 1995-1996), while the total cost of education per student was assessed at 10,182 drams or US$ 25.00.

166. No official definition of the poverty line exists in Armenia at present. A relative poverty line has been defined on the basis of World Bank research on per capita expenditure. Families whose expenditure per family member amounts to 15 per cent or less of international norms are described as "extremely poor" and those whose expenditure is equal to between 15 and 40 per cent of the international norm as "poor". One of the reasons for preferring a relative method of assessment to an absolute one is that if an absolute standard were applied, the number of respondents below the poverty line would undoubtedly be very great. The fact that the situation of urban dwellers is somewhat different from that of rural dwellers, because the latter generally have additional sources of income, must also be taken into account. According to average statistical indicators, 28 per cent of families in both groups are considered "poor".

Percentage of urban and rural dwellers considered poor		
	Urban	Rural
Extremely poor	20	12
Poor	11	13
Total	31	25

167. The town/country correlation revealed that urban families are, on average, poorer than rural ones. A further possible reason is that many wage earners, being on temporary or administrative leave, were receiving only a low wage or no wage at all. Another difference is that poor rural families often own a small plot of land. A survey has shown that 63 per cent of urban dwellers do not own a plot of land, although growing one's own food is the most effective mechanism for avoiding poverty.

168. A programme of land reform was initiated in Armenia in February 1992. At the end of the process, which took four and a half years, peasant smallholdings (private farms) accounted for 93-95 per cent of the country's gross agricultural product.

169. The application of principles characteristic of the privatization process has revealed a direct relationship between land and the principal means of production and between property ownership and poverty status. Poor people own less land, cattle and agricultural equipment because:

(a) They live in areas where the soil is of poor quality;

(b) Their families tend to be smaller and for that reason they have received a smaller land allocation;

(c) They are less likely to have participated actively in the privatization process;

(d) They did not receive their land allocation until the second stage of privatization.

170. The poverty level in rural areas is directly influenced by climatic particularities, the degree of irrigation and the quality of the soil. In towns, the poverty level is influenced by the fact that people are cut off from the countryside and no longer have certain traditions which are still alive there. In urban areas, where much of the population live in temporary dwellings, life during the winter is much harder because fuel and electricity are in short supply. The water supply system, too, is liable to stop working in severe frosts, and malfunctioning of the drainage system increases the risk of infectious diseases. In the countryside, on the other hand, people find it difficult to deliver agricultural produce to markets in the towns because of the high cost of transport, petrol, etc.

Poverty and family size

171. The composition of a family may be a more important factor than its size. Families with three, four and sometimes even five working adults living under one roof are far less likely to suffer from poverty. As the number of working adults in a family increases, the poverty indicator falls sharply. In urban families with two or more working adults the poverty level falls to 33 per cent, and in those with four such family members to 30 per cent. Consequently, compared with indicators in other countries, small families in Armenia are poorer than larger ones.

Average family size (per cent)		
	Urban	Rural
Extremely poor	4.2	3.7
Poor	4.4	4.5
Not poor	4.3	4.6

Children

172. According to UNICEF data (1994), there were no cases of famine among children in Armenia and no increase in the rate of child mortality or morbidity was observed. A few categories of children are classified by UNICEF as being "at risk"; these are children in institutions, handicapped children, working children ("juvenile manpower"), and children affected by military action.

Poverty level of families with children (per cent)		
Composition of the family	Urban	Rural
One child	30.7	25.0
Two children	33.9	19.4
Three children	26.7	26.0
Four children	44.4	12.2

Also according to UNICEF data, there are some 50,000 refugee children requiring care and assistance, in particular psychological and stress rehabilitation.

The elderly

173. In Armenia, as in other countries of the former Soviet Union, the elderly account for a smaller proportion of the poor population than families with children. In Armenia they account for 11 per cent. The poverty level for men aged over 50 (both urban and rural) is far lower than the average, whereas for women in the same age bracket it is far higher. Research by Dudwick (1995) and UNICEF (1994) shows that single elderly persons, especially women, living in rural areas are among the poorest members of the population because they are incapable of working on agricultural plots and therefore have no reserves of food.

174. Although Armenia has a strong tradition of several generations living under one roof, so that elderly people living alone form an insignificant minority, the danger exists that the number of elderly people left to fend for themselves will increase because more and more people of working age are leaving the country in search of temporary or permanent employment.

Refugees

175. According to research carried out by the Commission for Refugee Affairs in 1994, more than 350,000 refugees had entered Armenia from Azerbaijan since March 1988, 40,000 from Nagorny-Karabakh and 6,000 from Abkhasia. Since then, around 90,000 refugees have left Armenia for Russia and other countries and today the number of refugees left in Armenia is 260,000.

Standard of living and food supply

176. In Armenia, as in other countries, the concept of "poverty" and the population group described as "poor" can be defined in general, relative or special terms. Since statistical indicators fail to reveal any special characteristics, the United Nations Development Programme Human Development

Report, 1995 offers a qualitative analysis of poverty, subdividing 80 per cent of the population classified as "poor" into three groups according to their ability to cope with problems of survival:

(a) Extreme poverty. A standard of living at which survival is threatened. The main distinguishing characteristics are hunger, lack of access to essential services and sanitation, housing and clothing not adapted to the local climate. This group, which accounts for about 13 per cent of the population, is made up principally of refugees, unemployed persons, and people working for and being paid exclusively by the State (certain scientific workers, teachers, district doctors, etc.). The survival of people in this group depends on charity aid, which stops them from succumbing to dystrophy. Often, people in this group receive one meal a day from soup kitchens, neighbours or relatives. Their monthly expenditure does not exceed US$ 17;

(b) Poverty. This group includes people more or less able to meet their physiological needs. The food they consume lacks variety, only the most essential clothing is acquired, a relatively stable temperature is maintained inside the home in winter. Such families today come from many sectors of society; their financial situation is extremely insecure and their monthly expenses range between US$ 17 and 35. According to 1994 data, this group accounts for 34 per cent of the population as a whole;

(c) Relative poverty. This group includes families which cannot plan their incomes or purchase any goods other than essentials (furniture, household appliances, not to mention buying a house or flat, etc.). Nevertheless, such people have enough money to meet their essential requirements for food and clothing and to maintain a viable level of health. People in this group spend the equivalent of US$ 35-55 a month. They consist of the families of workers employed outside the country, families receiving various forms of assistance from abroad, some rural dwellers, and small and medium traders. This group accounts for about 40 per cent of Armenia's population.

Real per capita GDP	US$ 365
Per capita GDP	US$ 174
The production sector as a percentage of GDP	29 per cent.

All figures are for 1994.

177. The strategy adopted with a view to reducing poverty is based on the following sectoral approaches which are expected to facilitate rapid and equitable income distribution and reduce the risk of structural long-term poverty:

- Speeding up technical modernization in agriculture, creating incentives for the agricultural workforce (right to land ownership, short-term and long-term loans, right to joint use of technical equipment);

- Reconstructing the banking system and establishing contacts with foreign banks in order to facilitate money transfers from abroad;
- Assisting the development of transport, especially in rural areas;
- Introducing administrative and financial incentives for the development of micro-businesses and crafts;
- Improving the quality of the education and public health systems;
- Developing mechanisms to promote the establishment of local associations with a view to assisting population sectors that are poor and incapable of working.

178. The living conditions of the population of the area affected by the recent earthquake are extremely difficult. Most of the earthquake victims are still living in temporary dwellings, essentially metal containers and railway carriages not equipped for winter conditions. Under the existing blockade conditions, reconstruction work in the earthquake zone is proceeding very slowly. According to World Bank estimates, one sixth of the housing stock and 40 per cent of the area's production capacity were destroyed as a result of the earthquake.

179. The earthquake left 500,000 persons (one sixth of the total population) without a roof over their heads. The country's highest unemployment level (after Yerevan, where about 40 per cent of the total population are concentrated) is found in and around the earthquake area. The situation of poor people in the earthquake area is far more difficult, especially as regards housing and heating, than in other parts of the country. Research conducted in towns and the countryside has shown that extreme poverty exists in the earthquake zone. Vanadzor, which lies in the earthquake area, has the country's second highest urban poverty indicator (43 per cent), with 15 per cent extremely poor, 12 per cent poor and 26 per cent relatively poor inhabitants. In Vaikhe, the poor and extremely poor account for 52 per cent.

Right to adequate food

180. According to international standards, people who can spend 25 per cent of their monthly income on food are deemed to be enjoying the right to adequate food. Surveys have shown that only persons able to spend the equivalent of US$ 200 a month on food reach this standard of living in Yerevan. In reality, according to social surveys, 20 per cent of the population of Yerevan spend US$ 17 a month or less on food, 43 per cent spend between US$ 17 and 35, and 17 per cent of respondents spend between US$ 35 and 55. Only 20 per cent of respondents can afford to spend more than US$ 50 a month on food.

181. The staple food in Armenia is bread. In the past year, the minimum price of bread rose by a factor of 23 as a result of the freeing of bread prices.

182. Government distributions of wheat flour have resulted in some lowering of de facto requirements (possibly by 10-20 per cent), but the overall change is difficult to assess because of barter arrangements, especially in the countryside. In addition, the high bread prices have encouraged the private sector to import small quantities of flour from neighbouring countries, thus further reducing reliance on government supplies.

183. The World Food Programme (WFP) has been providing food aid to Armenia since 1994. At first the assistance was intended only for refugees, but later on it was adjusted to meet the requirements of other extremely needy groups. WFP assistance accounts for 60 per cent of the total food aid distributed. WFP is assisting a total of 250,000 persons, including 100,000 refugees and re-settlers, 100,000 socially needy persons (veterans and pensioners living alone, orphan children, residents of children's homes and homes for the aged, abandoned and nursing mothers, destitute persons), 40,000 needy persons whose work is remunerated with food, and 10,000 persons receiving WFP food aid through soup kitchens.

184. Extremely poor persons receive rations distributed through State shops; they are registered with the Paros organization according to their degree of neediness. Food is distributed to refugees and re-settlers on the basis of lists of the Refugees and Migrants Administration and UNHCR. At present, this category is also taken into account by the Paros organization and is also receiving aid according to the respective degree of neediness. In 1995, WFP introduced the "Food for Work" programmes, which were continued in 1996. The programmes covered public works and road maintenance, garbage collection, relaunching factories, repairing pipelines, irrigation channels and drains, reconstructing small hydroelectric power stations, and planting trees. About 1 tonne of food was used for the Food for Work programmes in 1995. Poor and destitute persons receive hot food in 48 soup kitchens opened in the country's 15 main towns. In 1995 and 1996, WFP supplied over 170 tonnes of food for this purpose. WFP food is sent to Georgian ports and thence by rail to Yerevan and Vanadzor. Consignments are then delivered by road to State shops (of which there are about 560), which distribute the food.

Grain production

185. In 1996, about 200,000 tonnes (about 22 per cent) less grain was produced than in 1995. Wheat production was approximately 110,000 tonnes as compared with 157,000 tonnes in 1995. The requirements of the population of 3.2 million for cereals in the winter months of 1996/97 were estimated to be 580,000 tonnes. Bearing in mind the importance of bread as a staple food and its frequent use as a substitute for expensive foods such as meat, fish, etc., the daily per capita bread requirement is calculated at 285 grammes, or 450,000 tonnes a year. According to initial calculations, only 215,000 out of the total requirement of 580,000 tonnes of cereals will be home produced.

186. Commercial imports can account for up to 15 per cent of total imports assuming favourable mutual relations with neighbouring countries and a positive economic environment. Small-scale wheat imports (up to 100,000 tonnes) can also be effected by the Government on a commercial basis. Food requirements for 1996-1997 are assessed at approximately 270,000 tonnes.

187. Priority food aid. The distribution of WFP aid to the appropriate population groups has been reviewed in accordance with the improved Paros system, whereby aid recipients are listed according to their degree of neediness, which means that when supplies are short, the food is distributed only to the poorest groups. Paros has established subdivisions within the economic groups (e.g. pensioners, single mothers and children, disabled persons), so that agencies can, if necessary, channel their aid to specific groups (for example, if an organization wants to help needy disabled persons, it can obtain a list of such persons from Paros). Registration with the Paros system is voluntary; 700,000 out of a total of 850,000 applicant families have been registered following assessment.

188. In 1996, around 96,000 families (totalling 400,000 persons) were earmarked to receive emergency food aid. Systematic contacts have been established between the Commission for Humanitarian Aid and the agencies responsible for applying the system. Emergency food aid is being supplied by international and non-governmental organizations. About 36,000 tonnes of emergency food supplies required for the 400,000 neediest people in Armenia in 1996/97 will have to come from other programmes.

189. The Government of Armenia has a loan for short-term and long-term food supply. An agreement on a loan for the development of the agricultural sector has been signed between the Government and the European Bank for Reconstruction and Development.

190. Agriculture. Agriculture occupies an important place in the Armenian economy. The agricultural production level, which represented 15 per cent of total production in 1989, had risen to 55 per cent by 1993. This increase was due principally to a sharp drop in the level of industrial production and to land privatization measures carried through in the previous two years. In 1990, agricultural output accounted for 28 per cent of the total. However, the situation has been gradually improving, so that by 1994 gross agricultural output had risen by 11.6 per cent over the 1990 level, crop growing having increased by 54.1 per cent and stockbreeding declining to 23.4 per cent.

191. The period of privatization saw the emergence of 303,400 individually owned and 1,500 cooperative farms. The average individually owned farm has 1.26 hectares of land. During the same period, 349,000 heads of cattle were transferred to individual farmers and cooperatives and 29.8 per cent of the inventory (machinery, vehicles and other equipment) was privatized. Supply, storage and processing enterprises still remain to be privatized.

192. The programme of economic and social development (1995) provides for the privatization of 307 enterprises (including 157 agricultural and 154 food and processing), 200 enterprises being earmarked for privatization in 1996. Among these 200, preference is given to grain elevators and bakeries, as well as to some bread shops. The privatization of the processing industry presupposes a developed market for the sale of wheat and flour. Although local grain production amounts to approximately 200,000 tonnes, only 25,000-30,000 tonnes a year are being sold to the State by private farmers. Armenia's annual grain requirements amount to 1 million tonnes, so that arranging imports from the Commonwealth of Independent States and other foreign countries continues to be of major importance.

193. The pattern of agricultural production has undergone some significant changes. Cattle stocks have diminished as a result of the cessation of cattle food imports. Whereas in 1991 crop growing had accounted for 53.7 per cent and stockbreeding for 46.3 per cent of agricultural output, the corresponding figures in 1994 were 62.4 per cent and 37.6 per cent, respectively. The percentage of cereals in total output rose from 29.4 per cent in 1988 to 50.8 per cent in 1994.

194. Supply, storage, processing and marketing enterprises remained under State control and their privatization did not begin until three years after the privatization of the land. In 1994, the Government put up for privatization a large proportion of State-owned agricultural enterprises. By the end of 1995, 77 enterprises had been sold to private owners. The only State-owned enterprises left today are those dealing with chemical fertilization, fertilizer supply, improvement of agricultural technologies, seed production and water supply. The Government intends to complete the privatization process by the end of 1997, after which date direct participation in the agricultural sphere will be confined to privatized establishments.

195. Armenia's climate is favourable to the cultivation of grapes, apricots, peaches, pears, ginger, walnuts, olives, geraniums, tobacco, pumpkins and many other vegetables and fruits throughout the territory of the country. Cereals and potatoes are grown principally in the sub-mountainous areas. After the privatization of the land the volume of cereal and potato cultivation increased considerably owing to reductions in the areas used for sowing fodder crops.

196. Food industry. The food industry, which accounts for 42 per cent of the whole of Armenian industry, used for many years to export canned fruit and vegetables, wines and brandy to Russia, receiving meat and leather goods in return. The transport blockades, power cuts and financial restrictions of the last few years have inevitably had a negative effect on the activities of food industry enterprises, leading to major changes in the industry's sectoral structure in the form of diminished wine-growing and grain production.

197. In 1986-1988, stockbreeding accounted for 50-55 per cent of total agricultural output. Breeding of large horned cattle, sheep and pigs, as well as poultry and bee-keeping, was developing steadily. Nevertheless, much of the country's meat, milk and butter supply had to be imported. After the earthquake of 1988, cattle stocks and animal breeding declined drastically, with resulting reductions in the production and imports of animal fodder. Increased fuel costs and unfavourable market conditions led to further decline within the sector, gross agricultural output diminishing by 20-25 per cent.

198. The industrial food processing sector includes 160 large and medium-sized State-owned enterprises producing canned fruit and vegetables, milk and dairy products, flour and bread, alcoholic beverages and soft drinks, mineral waters and cigarettes.

199. The wide variety of locally grown fruit, vegetables and pumpkins offers possibilities for a profitable canning industry. The sector

includes 14 plants with a total production capacity of 457 million conventional units (0.65 kg). In 1994, 35,000 tonnes of fruit and 11,000 tonnes of vegetables were canned with only 10 per cent of planned capacity. Today, the CIS countries form the traditional market; export possibilities are not being fully exploited.

200. Armenia's average consumption of meat and meat products in 1986-1988 was 130,000 tonnes a year. About 80 per cent of home-produced and imported raw meat went to the country's five largest meat production enterprises. As a result of the blockade, transport costs went up steeply and the amounts of available cattle feed and of imported meat declined accordingly. The resulting profit losses obliged the meat processing enterprises to reduce production until, in 1994, the subsector was virtually at a standstill and only 0.5 per cent of capacity was being exploited.

201. The volume of all food production except bread baking has diminished sharply. The country's annual wheat requirement is 1 million tonnes, 300,000 of which is home produced. Small private bakeries have come into existence recently and are competing successfully with State-owned enterprises. Mill wastes and barley are used in manufacturing animal feeds. Armenian animal feed crops used to have a total production capacity of 897,000 tonnes, but since the cessation of imports only 20 per cent of capacity is being exploited.

202. Agriculture and industrial food processing at present form one of the most expanding and dynamic sectors of the Armenian economy. Because of the low standard of management and marketing, gradual obsolescence of equipment, poor packaging and transport difficulties, many subsectors of the food industry are being strongly challenged by competitors on both home and foreign markets. As a first step towards the industry's reconstruction, the Government in 1994 embarked upon the privatization of 127 enterprises. Most of these were privatized in 1995 and the privatization of flour mills and bakeries is to be completed in 1996.

203. The Government's agricultural policy goals are as follows:

(a) To continue and complete the privatization of agricultural enterprises, including warehouses and service centres;

(b) To improve the irrigation system and repair the existing irrigation equipment;

(c) To improve banking services and the taxation system;

(d) To complete the introduction of the new taxation system, finish transforming the existing taxation mechanisms and introduce an insurance system;

(e) To create the necessary legal framework for a prices policy;

(f) To organize high-quality seed production and breeding of pedigree cattle.

204. For obvious reasons, this covers only a relatively small part of the sector's requirements. The following selected programmes are being financed at present:

Reconstruction of the irrigation system (in progress);

Establishment of a bank for agricultural mutual aid (in progress);

Creation of an agricultural wholesale market (in progress);

Programme of assistance to changes in agriculture (in preparation);

Creation of an insurance system for goods owned by individual peasants and farming cooperatives;

Development of cattle breeding;

Development of pig breeding;

Development and reconstruction of sheep breeding;

Reintroduction of aloe growing;

Development of poultry keeping;

Production of forage crops.

205. Notwithstanding the objective and subjective difficulties mentioned above, agricultural production in 1995 was 104.7 per cent of the previous year's level. The following steps towards ensuring stable growth of agricultural production are envisaged by the Government under the socio-economic development programme for 1996:

(a) To continue the expansion and improvement of the legal framework for the promotion of agricultural development;

(b) To complete the privatization of agricultural enterprises and services, only highly productive seed farms, plantations and pedigree stock farms continuing to be State-owned;

(c) To regulate the activities of agricultural inspection units;

(d) To develop and apply measures aimed at creating a land "stock exchange" for buying and selling State-owned and privatized farmland;

(e) To promote the setting up of peasants' associations and other types of cooperatives;

(f) To promote the strengthening and development of the agricultural mutual assistance bank;

(g) To develop and introduce mechanisms for the development of seed production in peasant farms and cooperatives;

(h) To regulate the establishment of a commercial veterinary service for farmers;

(i) To carry out approximately 27 anti-epidemiological veterinary diagnostic operations;

(j) To improve existing mechanisms for collecting payments for water supply;

(k) To encourage water supply users to form associations;

(l) To proceed with the programme of reconstruction of the irrigation system using World Bank credits: reconstruction of main and secondary canals, water pressure stations, large emergency reservoirs, active deep wells, drilling new wells;

(m) In the interests of reducing power-generating costs, to continue work on the development of new gravity-feed irrigation systems;

(n) To promote the introduction and development of compulsory and voluntary insurance systems;

(o) Under the "Wholesale Market" programme, to create structures for buying and selling agricultural produce;

(p) To practise a taxation policy of encouraging the wine-growing industry;

(q) To reorganize the hail-control service and have it operate on a permanent basis.

Right to housing

206. Privatization of housing was the first change that arose from Armenia's independence. Between 1989 and 1993, lessees were able to buy their leaseholds from the State at the official land survey value, which fixed the price of a square metre of land at less than the amount necessary for its reconstruction. About 8 per cent of State-owned housing was transferred to the private sector during this period.

207. Leasehold rents and repair service costs remained at the same low level as before. The new system of State financing failed to meet housing requirements either quantitatively or qualitatively.

208. The housing shortage increased considerably after the earthquake of 1988, which damaged or destroyed one sixth of the country's housing stock and left 530,000 people homeless. Only about 30 per cent of the buildings had been reconstructed by 1996 and many people are still living in temporary or makeshift dwellings. The situation worsened still further in 1988 with the inflow of 350,000 refugees from Azerbaijan. Furthermore, the use of electric power and water has in recent years become a problem for more than only the poorest families, utility tariffs having risen considerably in step with improvements in the infrastructure.

209. The first step of the housing reform was the sale of dwellings to their tenants, begun in 1989. Over a four-year period, 40,000 out of almost half a million State-owned dwellings were transferred to the private sector.

210. The Act on the privatization of the State-owned and publicly owned housing stock entered into force in September 1993 and a further 140,000 dwellings were privatized by the end of 1995. The Act ensures free-of-charge privatization of housing through transfer to registered tenants. As a result, a "mortgage-free society" - at least so far as the present generation is concerned - is developing in Armenia, in contrast to many Western countries. The success of mass privatization, which has created the phenomenon of "universal home ownership", has led to a number of interesting changes which have no analogy in other countries. A draft Act on the national housing stock policy establishes a new order in respect of new housing stock and defines the long-term role of the Government in matters pertaining to the right to housing, including housing aid programmes, public financing of housing, building and management, communal housing, the relationship between lessor and lessee, etc.

211. At the start of the transition process, Armenia's housing stock was made up of the following categories:

(a) Stock owned by local urban councils;

(b) Stock owned by rural councils;

(c) Stock owned by organizations financed out of the State (centralized) budget;

(d) Stock owned by self-financing State organizations;

(e) Stock owned by building and housing cooperatives.

212. Seventy per cent of Armenia's population live in cities, principally Yerevan, Gyumri and Vanadzor. Rural dwellers therefore enjoy more favourable housing conditions and better opportunities for improving those conditions.

213. As in all Soviet republics, housing construction in Armenia used to be centrally planned and controlled. After independence, these duties devolved upon the Ministry of Construction of the Republic of Armenia, whose stocks and resources are, however, limited.

214. As far back as 1994, the World Bank granted Armenia a first loan for the reconstruction of the earthquake area. The Government was already taking steps to attract resources on a competitive basis and to end the State monopoly on large-scale construction. The reconstruction programme financed by the World Bank helped to carry through Armenia's housing privatization reform. In 1991, Armenia became the first of the CIS countries to carry out such a reform on the basis of two legal instruments, also enacted in 1991, the

Land Act and the Land Privatization Act. The latter instrument regulates land distribution and defines the conditions for obtaining, buying, selling or inheriting real estate, while the former establishes different categories of land and regulates their use, establishes private and State ownership, and defines the conditions for the use of non-agricultural land for housing construction purposes. Since the Land Act was principally oriented towards the countryside rather than the cities, the Government, assisted by Western experts, prepared an additional Real Estate Act, which was adopted in 1995. Other legal instruments governing land use have also been adopted. These relate to the privatization of urban public land (1991) and to the auctioning of State-owned land to the population without restriction as to the size of the plot or its intended use (1995). 1994 saw the adoption of the Land Taxation Act and the Property Taxation Act.

215. An important component of the housing reform is the establishment of a system of housing loans designed to facilitate the purchase of private dwellings. Financing of housing construction has always formed a significant part of Armenia's regular budget and has predominated over other sources of State financing. Housing construction has also been financed out of the budgets of institutions and organizations and with the help of long-term appropriations and private funds. From 1992, the level of investment in housing construction declined to a considerable extent and the volume of construction fell sharply.

216. In the last few years housing construction has been financed largely by the World Bank and other international organizations. The existing long-term lending mechanism is essentially oriented towards new construction and is operated by two State-controlled banks, Armeconbank and Sberbank. Private loans in the past few years have equalled zero. Such complete disappearance of private lending has been due not only to resource shortages and the shortcomings of the banking system as a whole, but also to the fact that private building loans were not guaranteed by mortgages. The Mortgage Act, adopted in 1995, makes it possible to mortgage real estate and thus represents an important step towards the creation of a guaranteed system of financing housing construction.

217. The building of new homes in Armenia is very limited. In the absence of State financing, there are only two ways of acquiring a dwelling: private construction or purchasing on the real-estate market. The truth of the matter is that the reform of the housing sector cannot operate without the development of a housing market that is accessible to middle-income families, and this in turn can only become possible subject to the conclusion of a mortgage agreement.

218. The State-owned housing stock is managed, maintained and repaired by official Housing Management Offices. In the last few years, because of the country's general economic predicament, the level of services offered by these offices has considerably declined and repairs have been carried out only in emergency cases.

	1991	1992	1993	1994	1995
State-sponsored construction	889.0	215.9	243.9	173.5	150.7
Cooperatives	66.2	6.9	15.8	-	-
Private individuals	954.1	136.9	110.6	80.4	134.2
Total	1 909.3	359.7	370.3	253.0	284.9

219. The rates of growth of the housing stock, as a percentage of the previous year's level, were as follows:

	1990	1991	1992	1993	1994	1995
Total	6.5	6.9	1.6	2.26	0.7	0.5
Urban	7.9	2.6	0.9	2.4	0.4	0.3
Rural	4.3	13.3	2.6	1.9	0.9	0.7

Article 12

220. Every human individual has the right to protection of his/her health. The procedure for the provision of medical assistance and services is established by a series of laws. Under the Medical Assistance and Services Act, every individual, irrespective of nationality, race, sex, language, religion, age, state of health, political or other opinions, social origin and property status, is entitled to receive medical assistance and medical services. Everyone is entitled to receive medical assistance and services free of charge within the framework of special-purpose State medical programmes.

221. Upon applying for medical assistance, everyone has the right to:

(a) Choose the person providing medical assistance and services;

(b) Receive medical assistance and services under conditions which meet the requirements of hygiene;

(c) Demand confidentiality concerning his/her application for medical help, state of health, medical examination results, diagnosis and treatment, except in cases specified by law;

(d) Be informed about his/her illness and not to undergo any medical intervention without his/her consent;

(e) Refuse medical intervention, except in cases specified by law;

(f) Respectful treatment on the part of persons providing medical assistance and services.

222. Persons who provide medical assistance and services are authorized to do so within their selected area of specialization provided they are in possession of an appropriate licence to practise in accordance with Armenian law. Persons with the necessary education and specialization, as well as persons having obtained a licence to engage in specific types of medical activity in accordance with Armenian law, may practise medicine.

223. Persons who provide medical assistance and services have the duty to:

(a) Provide first aid to all individuals, irrespective of any guarantees of payment or other circumstances;

(b) Ensure that the medical assistance and services they provide meet the accepted quantitative and qualitative standards;

(c) Inform every patient about the type, method, amount, procedure and conditions of medical assistance and services to be provided;

(d) At the request of persons who have paid for medical assistance, supply all necessary information about the medical services provided;

(e) Ensure confidentiality concerning the fact of application for medical help, examination results, state of health, diagnosis and treatment, except in cases specified by law;

(f) Supply statistical and other data in accordance with procedures established by law;

(g) Treat patients in a caring and respectful manner.

Persons providing medical assistance and services who cause any injury to the health of their patients or divulge information about their patients' health, as well as persons practising medicine unlawfully, are held responsible under the law.

224. Armenia's indicators in the sphere of public health are the same as those of other former Soviet Republics, but better than those of other countries with the same per capita GNP.

225. The main causes of death are cardio-vascular diseases and cancer.

226. The hardships of the past few years - the earthquake of 1988, the armed conflicts, the energy shortage resulting from the blockade - have been seriously detrimental to the health of the population. In 1995, adult mortality was 34.7 per 100,000 births and child mortality, 14.2 per 100,000 births.

227. Thanks to joint action by the Government and humanitarian organizations, it has been possible to protect children's health and to avoid epidemics despite the poor state of our water supply and drainage system. Successes have been achieved in the struggle against infectious diseases. Notwithstanding two local outbreaks of measles in 1994, the number of cases of measles infection was smaller than in the previous year. Certain diseases previously thought to have been eradicated (e.g. poliomyelitis) appeared anew in 1994. The recurrence of diphtheria is causing particular concern. Thirty-six cases were reported in 1994 and 10 in the first four months of 1995. A noticeable increase in the number of cases of tuberculosis is also principally due to deteriorating socio-economic conditions.

228. The number of cases of cardio-vascular disease with a lethal outcome rose from 297 per 100,000 inhabitants in 1989 to 390 in 1994.

229. Cancer, the second most important cause of death, caused 96 deaths per 100,000 inhabitants in 1993.

230. Fractures and food poisoning are the third most important cause of death (62 cases per 100,000 inhabitants). The number of cases of respiratory and gastro-enteric diseases has recently increased. However, Armenia has the lowest alcoholism and drug addition record of all CIS countries (10 times lower than in the Russian Federation and 18 times lower than in Turkmenistan). Tobacco use (smoking) is giving grounds for concern. The national public health institute has found that 57 per cent of boys and 21 per cent of girls aged 14 to 16 are smokers.

231. The child mortality rate is considered average and is tending to diminish. It is interesting to note that, although girl and boy infants receive the same care, there are fewer deaths among girls than among boys. In 1995, the child mortality indicator (number of deaths of infants from birth to 12 months per 1,000 births) was 14.3 (boys 15.7, girls 12.6). Although this indicator has diminished in recent years, it was still above the CIS countries' average for 1995 (8.2 per 1,000 births). However, it meets the WHO criterion for children up to the age of five in the countries of Eastern Europe. Acute respiratory or enteric infections are the most frequent cause of death; in the case of infants below 12 months the cause of death is generally related to insufficient breastfeeding.

232. Despite the deterioration in socio-economic conditions, the rate of child mortality has remained unchanged. In this respect there is a striking difference between the towns and the countryside, where the quality of medical services is less good. In rural areas, neonate deaths account for 70 per cent of total child mortality, whereas in towns the figure is only 30 per cent. Respiratory and enteric infections account for half of these cases in rural areas but for only one fifth in towns. Three times as many babies die during home deliveries in the countryside because emergency assistance offered by the maternity clinics is less good than in towns. Because of poor-quality care, 15 per cent of neonate deaths occur within the first 24 hours after birth. This problem is particularly strongly felt in the earthquake area and in the territories affected by military action (UNICEF, 1994).

233. The average maternal mortality figure is fairly low compared with the CIS (27.1 deaths per 100,000 live births in 1993), but it is somewhat higher than the average of 25 for all countries and 15 for Europe established by WHO. The main causes for the high maternal mortality figure are haemorrhages and abortions. Cases of anaemia in pregnant women are due to a certain iron and protein deficiency in the food intake. Inadequate education and the high price of contraceptives are leading to uncontrolled interruptions of pregnancy (abortions). The official figure for interruptions of pregnancy rose from 36 per cent of births in 1990 to 39.4 per cent in 1992. The high post-abortion mortality rate is due to insufficient supply of sanitary equipment and medicines as well as to the low level of training of the personnel providing the service.

234. The following major changes in the public health area were planned for 1995:

1. Reorganization of public health establishments. In establishments having the status of State enterprises, medical and other services will be paid for on the basis of State commissioning or by enterprises, private citizens, insurance companies and from other sources. Programmes for granting State enterprise status to medical establishments have been developed.

2. Regulations governing services provided on the basis of State commissioning will continue to be developed and applied in the light of priorities in the field of public health. Procedures and conditions for the provision of free, partially fee-paying and wholly fee-paying medical services are to be established bearing in mind the needs of the least prosperous sections of the population.

3. An integrated programme of licensing State medical establishments and their personnel is to be developed and introduced.

4. Patients are to be free to choose their medical establishment and physician.

5. Minimum standards are to be defined and certain existing medical services and establishments showing particularly unsatisfactory results are to be reorganized, the volume of services offered being maintained at the existing level.

6. The role of preventive measures in the medical services sphere is to be enhanced and existing out-patient services and departments are to be expanded.

7. A system of medical insurance will be developed and introduced.

8. A system of post-diploma training of doctors (internship) will be introduced.

235. The following draft Acts have been prepared and submitted for consideration with a view to consolidating the legal framework of the public health system:

A Medical Insurance Act;

An Act on the supply of medical products;

An Act on the sanitary control of imported goods, to cover all types of goods imported into Armenia;

Legislation to govern transplants of human organs or tissues and blood transfusions. This will take the form of two Acts, one on transplants of human organs or tissues and the other on donating human blood and the processing, distribution and utilization of products derived therefrom.

236. At the same time, the following new legislative acts have been elaborated by the Ministry of Health in connection with the implementation of the Medical Assistance and Services Act:

A procedure for conducting autopsies;

A procedure for discontinuing reanimation measures;

A procedure for pronouncing a person to be dead;

A procedure for medical sterilization;

A procedure for interruption of pregnancy;

A procedure for artificial fertilization;

A register of infectious diseases;

A register of diseases which represent a danger to persons in the vicinity;

A register of the rights and duties of medical personnel, etc., as well as a set of regulations governing State commissioning, adopted by Government Decision No. 175 of 15 July 1996.

237. There is a great need for long-term investment in the public health area, as high-quality medical services cannot be provided within the framework of existing resources. The process of improvement, reconstruction and rationalization of the existing system requires investments, including capital investments by the State as well as measures in the field of education and training. The Ministry of Health has drawn up programmes of priority medical assistance for the current year and, jointly with the Ministry of Finance, a

plan for financing these programmes, which has been included in the State budget for 1997 together with strategic programmes for its realization. The financial plan includes the following:

(a) A package of essential subsidies to be covered by cancellations of items in the State budget and of the related programmes;

(b) A mechanism for assessing the services provided by medical establishments;

(c) Mechanisms for financing medical services out of the State budget.

238. The decentralization of the public health system and the privatization of medical establishments are envisaged, as is the elaboration of a mechanism for the provision of affordable medical services to indigent patients.

239. A Health Protection Services Act was signed in 1996. Under this Act, certain services, such as stomatology and plastic and cosmetic surgery, must be paid for. The introduction of a licensing system will entail more stringent requirements with regard to the certification of medical personnel and the quality of medical services.

240. In a situation of acute budgetary shortfalls there is great need for health protection measures that do not require large inputs of capital, such as:

(a) Elaboration of measures to encourage individuals to protect their own health;

(b) Elaboration and application of measures to reduce harmful environmental effects upon the human organism.

Selected health indicators	
Untimely deaths per 1,000 inhabitants (1994)	17
Deaths due to cardiovascular diseases, as a percentage of all deaths (1993-1994)	52.3
Deaths due to cancer, as a percentage of all deaths (1993-1994)	12.7
Number of diagnosed AIDS cases (1994)	0
Number of inhabitants per doctor (1994)	290
State public health costs, as a percentage of the total (1993-1994)	6.6
Private health costs, as a percentage of the total (1993-1994)	0.7
Total health costs, as a percentage of GDP (1987)	2.5
Total health costs, as a percentage of GDP (1994)	1.4

241. Armenia's health system operates at two levels: at the national level, through centrally financed State hospitals, and at the municipal level through hospitals financed and run by local authorities. Preventive services are provided by polyclinics in cooperation with municipal hospitals and, in the case of villages, by rural clinics in cooperation with local hospitals. The number of hospital beds is 30,000, or 82 per 10,000 inhabitants. There are 182 hospitals and 517 preventive health protection services, first-aid stations and polyclinics responsible for epidemic control and emergency diagnoses and treatment. In 1993, out-patient services accounted for 89 per cent of budget funds.

Environmental impact

242. Until the present, no special attention was given to the problem of harmful environmental effects on the human organism. In Yerevan and other industrial areas, pollution of the environment by heavy metals represents a particularly serious hazard. Although industrial production has declined in the wake of the acute energy crisis, air pollution continues to be considerable. Taking into account the inadequate fluoride and iodine contents and the unstable combination of sodium carbonate in our drinking water, as well as the increase in radon radiation intensity, the general picture that emerges is rather grim. As a result, the incidence of certain diseases (cancers, blood diseases) and of deaths consequent upon them is steadily growing.

243. Today, Armenia's possibilities of diagnosing and treating diseases are quite good but unevenly distributed between different regions and hospitals. Specialists believe that a more productive use of only 10,000 hospital beds out of the country's total of 30,000 beds would suffice to meet the population's need for medical services. The diagnostic network, equipped with laboratory and other instruments received from charitable organizations, especially after the earthquake disaster, is today working to only half its capacity. Ministry of Health statistics show a steep decline in attendance at out-patient clinics and in the number of occupied hospital beds. This is no doubt due to a combination of socio-economic and psychological factors. Because of the very limited possibilities of the State budget and the lack of alternative sources of financing, some of our hospitals and polyclinics are in urgent need of capital repairs and maintenance work. Part of the expensive medical and diagnostic equipment available is unused because of lack of reagents and spare parts, and the rest is not working to full capacity.

244. The denationalization of pharmacies has made it possible to improve the supply of medicines to medical establishments and the public and to reduce their price. Humanitarian assistance received from international organizations and missionaries has certainly contributed greatly towards this result. Thus, the amount of medical humanitarian aid received in the first 10 months of 1995 equalled, in money terms, the entire public health appropriation in the State budget. However, experience over the past few years has shown that the quantity and range of medical products received have not always coincided with the Armenian population's demands.

Expenditure on public health				
	1993 (actual)	1994 (actual)	1994 (estimated)	1996 (anticipated)
Per capita GDP ($)	510	365	616	791
State expenditure on public health (per cent of GDP)	3.6	1.4	1.1	2.4
Total expenditure on public health (per cent of GDP)	n.a.	n.a.	n.a.	n.a.
Per capita expenditure on public health ($)	18.4	5.1	6.8	19.0

245. In 1997, work is continuing within the public health system to improve the mechanisms for financing, administering and decentralizing medical establishments and to improve their operation. The following steps are being envisaged:

1. Setting up a special agency to privatize medical establishments in accordance with a clear-cut programme. This would help to carry through a unified policy and thus to make more productive use of available funds in this area. Later on, the privatization agency will provide the basis for the establishment of a medical insurance system (insurance fund).

2. Creation of an appropriate legal framework for the establishment of a medical insurance system.

3. Extending the range of partially or wholly fee-paying services at out-patient clinics with a view to improving the financing system and raising the standard of the services offered.

4. Extending the activities of out-patient clinics by organizing family in-patient units (family therapy).

246. Within its "essential services" package, the State guarantees free medical assistance to the whole population and free medical services (with the exception of certain special services, such as plastic surgery, organ and tissue transplants, or the use of precious metals and ceramics in stomatology) to particular population groups. The question of making medical services available at low cost to indigent members of the population continues to be debated. The Ministry of Health has prepared lists of the most vulnerable sections of the population, who will receive medical services free of charge. These groups account for 32 per cent of the population, a proportion not correlated with the official definition of poverty. The Ministry of Health, with the approval of the Ministries of Economics, Finance and Social Security, has decided to identify those groups of the population which would be entitled

to receive medical services free of charge but not to define those categories that would be entitled to pay for only part of the medical services they receive. In January 1995 the Ministry of Health submitted to the Government a list of the following groups entitled to receive medical assistance entirely free of charge:

Disabled persons;

Pensioners living alone, and families entirely composed of pensioners;

Members of families of military personnel killed defending the country;

Children.

However, this list is not definitive and may be modified.

Article 13

247. When Armenia formed part of the USSR it had a highly developed non-fee-paying education system. Ten years of secondary education became compulsory in the mid-1970s, and this, together with the expansion of the higher and vocational education system, was reflected positively in the level of skill of our workers and scientific personnel.

248. At the time of Armenia's declaration of independence, 192 out of every 1,000 workers had received some form of higher education, while 222 had received a special secondary and 375 a general secondary education. In order to maintain the extensive network of higher educational establishments and technical and general schools, an extraordinarily high proportion of the GDP - 6.6 per cent - was assigned to education.

249. In the aftermath of the earthquake of 1988 and the energy crisis, the level of State financing in the education sphere was reduced to a minimum, many schools continuing to work largely thanks to assistance from charitable organizations. A third of the schools in the earthquake area were damaged or destroyed, while a further 59 schools in areas adjacent to Azerbaijan were damaged by bombing. Since 1995, classes at 195 schools have been held in temporary buildings; according to the Ministry of Economics, one fourth of our schools are in urgent need of aid. Donor organizations, in particular USAID, UNICEF, UNHCR and several NGOs, have provided emergency assistance by helping to maintain and reconstruct school buildings, providing temporary winter quarters and supplying equipment, materials and food. The Armenian diaspora has helped to reconstruct schools, especially in the area affected by the earthquake.

250. Because of the scarcity of resources, only 2 per cent and 1.3 per cent of GDP were set aside for education in 1994 and 1995. This has resulted in a decline in the number of students and in that of pre-school establishments and children attending them. In particular, the number of infants attending kindergartens has fallen from 143,000 to 73,000. The number of children at ordinary schools, which are free and compulsory, has been maintained at the old level, but the number of students in higher educational establishments has dropped to 35,000.

251. Today, Armenia's educational system and its role can be said to possess the following essential characteristics:

Strong historical traditions;

A preference for humanitarian and natural sciences;

An extremely extensive character; and

A state of profound financial crisis.

252. The educational system includes the following establishments:

Pre-school (crèches, kindergartens);

Schools (primary/secondary);

Out-of-school establishments;

Vocational-technical establishments;

Secondary special educational establishments (technical schools);

Colleges;

Higher educational establishments (institutes and universities, where most postgraduate research is conducted).

253. In the past few years the Government has been forced to cut down the educational sector as a whole. Budget reductions are being achieved by reducing the number of students being trained under special arrangements between the Government and specific industries, by privatizing certain establishments, etc. Thus, in the period between 1990 and 1995 the number of students at vocational-technical schools was reduced by more than one third, while the number of student places within the higher education system created by special arrangements with industry has fallen by approximately one fifth.

Management structure

254. The educational system is coordinated by the Ministry of Education and Science, certain sectoral ministries and the office of the mayor of Yerevan, as well as some regional city councils. The Ministry of Education and Science has taken over the functions of the former Ministries of Education and Higher Education.

255. The Ministry of Education and Science is responsible for pre-school establishments, primary and secondary schools, and some vocational-technical and higher educational establishments, as well as for the retraining and advanced training of teachers. Certain sectoral ministries (Agriculture, Health) are responsible for providing special secondary and higher education within their respective areas of competence. The educational system includes the Research Institute on Education and the Research Institute on Higher Education.

256. Pre-school education (for infants aged two to seven) is non-compulsory and partly fee-paying. Parental fees represent only 6.8 per cent of total costs (1996). A few large enterprises have kindergartens of their own. In the last few years, drastic reductions in available funds, privatization of enterprises, the difficult financial situation and the growth of unemployment have created an unfavourable situation in our kindergartens (poorer food and heating, lack of furniture, etc.). As a result, attendance has declined sharply. At the same time, almost all enterprises have either handed over their private kindergartens to the State or closed them down altogether.

257. Primary/secondary education is compulsory and free. The total number of students in primary/secondary schools is 574,000 and that of teachers 57,000, which represents a de facto teacher-to-student ratio of 1:10. The low salary level (4,500 drams per month in 1996) is forcing qualified teachers to leave the system, with the result that the quality of teaching is declining. Many teachers are continuing to work on a private (individual) basis.

258. Most of our school buildings are in a parlous state. The process of deterioration has been intensified by the earthquake and the conflict in Nagorny-Karabakh, the energy crisis making it necessary to stop heating the schools and providing them with health and hygiene facilities. About 20 per cent of school buildings today are in urgent need of repair. Some 500 schools were damaged as a result of the earthquake in 1988 and a further 59 school buildings in the border area with Azerbaijan have suffered bomb damage.

259. The school programmes have undergone radical change and the process is still continuing. The publication of textbooks for the new teaching programmes is a problem. Often it has to be funded by the parents, few of whom have the necessary means.

260. We have 40 schools of 9 different types for physically and mentally backward children. The total number of students is about 6,000. In addition to general education, these students receive basic vocational guidance.

261. Parallel with the network of schools providing a general education, there exist out-of-school organizations such as nature study, technical or rambling clubs, aesthetic education centres and sports schools and centres.

262. Since 1978 Yerevan has had a multi-profile Centre for Aesthetic Education for which no analogy existed at that time in the Soviet Republics or in Europe.

263. The Centre for the Attestation of Scholastic Achievement, opened in 1995, is responsible for evaluating the level of knowledge of school-leavers and the performance of teachers. At present, our school-leavers have to take final examinations and, a month later, another set of examinations for entrance to a higher educational establishment. Our aim is to combine these two sets of examinations - school-leaving and college entrance - into a single process. The Attestation Centre will make it possible for students to resit their examinations or to take them at unscheduled times. No examination system for primary classes has been developed as yet.

264. At present there are around 58,000 teachers working in our primary and secondary schools who require retraining or advanced training.

265. The system of licensing new teachers, voluntary for the first three years, has been compulsory since 1996. Licences are issued on the basis of written tests and classroom auditions developed by the Attestation Centre and approved by the Ministry of Education and Science.

266. The Armenian State Pedagogical Institute has 3,500 students and between 1,000 and 1,300 teachers. Half the student places in 1995 were created on the basis of commissioning by industry (350 places funded by the State and 362 by private enterprises).

267. Student fees correspond to US$ 150-300 a year depending on the specialty chosen. About a third of the students are girls. The proportion of young men is currently growing because going to college is a way of postponing military service.

268. Most of the refugees from Azerbaijan are Russian-educated qualified persons. They include doctors, lawyers, scientists and teachers. Under Armenian law, the language used in schools and courts of law is Armenian. This accounts for certain difficulties we are having with integrating the refugees in civil and professional life.

269. As a result of the drop in State commissioning of student places (by 26 per cent in 1996 and by 25 per cent in 1997), the number of students in vocational-technical schools is declining. The level of education provided is quite low and fails to meet the conditions and requirements of the contemporary labour market.

270. There are 63 State special secondary establishments (technical schools) and 15 colleges offering specialized education in almost 90 areas of technology. Students may enter these establishments on completing their secondary education or after only eight years of schooling. The duration of the course depends on the specialty chosen. Up to 30 per cent of technical college graduates are accepted into the third year of higher education establishments. The fee-paying sector in technical schools and colleges is growing, as it also is in higher education.

271. Armenia has 15 State higher education establishments attended by 42,000 students. Around 8,000 students enter the system every year. Most of these establishments (13) are controlled by the Ministry of Education and Science. One hundred and seventy-two different specialties are taught. Students must pass an entrance examination. A diploma is issued after five years of study, after which those wishing to do so may stay on for postgraduate courses. The diplomas issued by our Ministry of Education and Science are not recognized internationally, which is the main reason why our higher education system needs immediate reform.

272. The fee-paying sector in State-operated higher educational establishments is growing, as is the number of private colleges and universities. The level of education offered by the non-State-operated higher educational establishments is fairly low, essentially because the training of

their teaching staffs is not subject to control. The reform of Armenia's higher education system, begun a relatively short time ago, is at the stage of implementation of numerous decisions. The new system includes three levels of higher education:

1. Basic level (four-year course) leading to a Bachelor's degree.

2. Specialist level (two years) leading to a Master's degree.

3. Doctoral level (three years), upon completion of which and of the necessary research the student is awarded the degree of Doctor.

The three-level system is already in operation in three higher education establishments: Yerevan State University, the Agricultural Academy and State Polytechnic. The majority of our higher education establishments will probably have adopted the system within the next five years.

Table showing the educational system
(data supplied by the Ministry of Education and Science as of 1 May 1997)

Establishment	No. of students	No. of teachers	No. of establishments	State budget (million drams)
Pre-school	65 740	7 557	994	41
Primary/secondary	599 287	60 433	1 404	8 538
Vocational/technical	7 227	3 346	69	582
Special secondary (technical schools)	9 972	2 026	42	521
Colleges	2 203	404	7	84 194
State higher educational establishments	33 833	4 523	15	1 594
Private higher educational establishments	18 324		75	
Scientific establishments	4 085		108	475 195

Exchange rate as of February 1996: US$ 1 (0.80 ECU) = 400 drams.

273. With a view to accomplishing the planned changes in the field of education, the Government decided in 1994 to create a School of Administration. The school offers a short and a full-length course.

The short course is designed to provide retraining and advanced training for middle-rank and senior government officials working in the executive sphere. The full-length course is designed to train middle-rank and senior government officials. The European Union has played a major role in establishing the School of Administration. Technical assistance was provided under the TACIS programme.

274. The American University of Armenia was established in 1990 as a branch of the University of California with financial assistance from the Pan-Armenian Charitable Union and with the collaboration of the teaching and administrative staffs of the University of California and of the Armenian Government.

275. In all, there are 750,000 young people involved in the Armenian educational system, only a minority among them attending fee-paying schools. This means that over 20 per cent of the population are involved in the educational system.

276. The rate of change in the educational sphere is currently somewhat slower than in other areas. This is essentially due to limited State funding and to the fact that our administrative system is not as efficient as it might be. The strategy for the coming few years is the following:

(a) To prevent the educational system from breaking down under conditions of extremely limited financial means and minimal humanitarian aid from abroad;

(b) In pre-school establishments, to increase parental financial participation and to enhance the role played by sponsors in overall funding;

(c) To place pre-school establishments and schools in the same buildings where possible and to privatize the buildings that are vacated as a result;

(d) In higher education establishments, to expand the fee-paying sector; to restrict State commissioning of student places to special areas for which demand is limited and to the training of unusually talented children; to abolish the system of entrance examinations;

(e) To reduce the number of State scholarships, awarding these only to the neediest students; to use the savings thus achieved in order to develop the educational system;

(f) To adjust the school syllabuses to present-day economic requirements.

277. In the sphere of education, a model statute for colleges and a model statute for general primary and secondary schools have been adopted. The following legislative acts are under discussion: Education Act; model statute for secondary special schools; statute for vocational-technical schools.

278. The following programmes proposed by Armenian higher education establishments were financed by the EU (TACIS and TEMPUS) in 1995 and 1996:

Title of programme	Establishment earmarked	Budget (in ECU)
Development of higher education in tourism and recreation	Yerevan State Institute of Foreign Languages	50 000
Reorganization of the system of administration and management at the State Polytechnic	State Polytechnic	50 000
Teaching of Romance languages and new technologies	Yerevan State University	50 000
Assistance to the reorganization of legal training at Yerevan State University	Yerevan State University	50 000
Development of social work as a special subject within the higher education system	Yerevan State University	50 000

279. Postgraduate training is to be restructured to provide training for executives in areas corresponding to the latest scientific and technical developments. Diploma-holding specialists at all levels will receive advanced training and retraining.

280. The continuing blockade is making the process of transformation in the educational sphere very difficult. Reconstruction of school buildings in the earthquake area is especially slow; only 30 per cent of school sites and 35 per cent of pre-school establishment sites have been reconstructed to date. Thousands of children and adolescents continue to study and live in makeshift buildings without water, gas or electricity.

281. During the last decade the Government has organized direct assistance to and collaboration with schools in Armenian communities the world over by assuming responsibility for the elaboration of school syllabuses and the preparation of textbooks and by providing advanced training in Yerevan for teachers from the diaspora. Under a United Nations programme for international humanitarian assistance to Armenia in 1996-1997, five educational programmes are being operated, subject to the necessary financial appropriations, by international donor organizations.

282. Activities are in progress in connection with the expansion and intensification of arrangements for the training of Armenian students abroad on the basis of inter-governmental and inter-ministerial agreements. Armenian schoolchildren and university students are receiving training in a number of European and American countries under agreements of this kind. International non-governmental organizations as well as organizations of the Armenian diaspora are playing a major role in this process.

283. Fourteen Armenian schools in rural areas have received the status of UNESCO associated schools under the UNESCO associated schools programme.

Article 14

284. According to article 36 of the Constitution: "Everyone is entitled to freedom of literary, scientific and technical creation, to benefit from the achievements of scientific progress and to participate in the cultural life of society. Intellectual property shall be protected by law." Article 11 provides: "Historical and cultural monuments and other cultural values are under the care and protection of the State."

285. In accordance with the principles and standards of international law, the Republic of Armenia assists the conservation of Armenian historical and cultural values in other countries and promotes the development of Armenian culture. The chief principles of Armenia's policy in the cultural sphere are the following:

(a) Recognition of culture as the main factor which determines the individuality of a people;

(b) Accessibility of cultural values and of all forms of cultural activities and all services in the cultural sphere to all citizens;

(c) Development of cultural relations with Armenians abroad with a view to preserving the integrity of the national culture;

(d) Full international cooperation.

286. Citizens belonging to national minorities are entitled to the preservation of their traditions and the development of their language and culture. This is set forth in article 37 of the Constitution.

287. Cultural policy is developed and applied essentially by the Ministry of Culture, Youth Affairs and Sports. The Ministry has a department for the conservation of monuments, which was founded in 1923. The department is responsible for the entire historical and cultural heritage of Armenia (monuments dating from 3000 B.C. to the present day). Medieval monuments, in which Armenia is particularly rich, occupy an important place among them. A department for the protection of cultural treasures has been set up within the Ministry on the basis of a Presidential Decree "On the export of cultural treasures".

288. Armenia has more than 20 theatres. The largest among them is the State Theatre of Opera and Ballet, whose traditions reach far into the past. Thanks to assistance from the Armenian Charitable Fund, ticket prices at this theatre are being maintained at a level which is so low as to be practically symbolic. During the difficult crisis years this has enabled the theatre not only to keep its existing audience but also to attract a large new one composed especially of young people. Other popular theatres are the State Dramatic Theatre, the Sundukyan Theatre, the Stanislavsky Theatre (with productions exclusively in Russian) and others. In addition to State theatres we

have 14 professional workshop theatres. It is estimated that an average of 4,251 performances for 981,660 spectators are given every year.

289. We are maintaining and developing cooperation with European musical centres, well-known concert halls and theatres (Olympia, Carnegie Hall, Covent Garden, Bolshoi Theatre, Teatro Goldoni and others), opera houses, playhouses, ballet, concert, dance and puppet theatres, recording studios, concert agencies and European music festival administrations. Professional concert and music ensembles (totalling 28) organize 350 concerts a year for 675,400 spectators. There are many amateur groupings (1,101 music clubs of various kinds offering a seating capacity for 3,500 persons) and 113 folk groups, including 36 theatre groups, folk bands and dance ensembles. The few national minorities in Armenia have ethnographic ensembles within their communities (two Assyrian, one Yezidi, one Jewish).

290. The museums network comprises 106 museums serving 152,000 visitors, with a total of 182,081,000 exhibits. The best known is the Matenadaran Museum (scientific research museum of ancient manuscripts). The unique feature of this museum is that it preserves, studies, translates and publishes ancient manuscripts of all kinds. It was founded in 1920 after the establishment of Soviet power in Armenia, when all manuscripts owned by the Echmiadzin religious centre were nationalized. Today the Matenadaran Museum holds 14,000 manuscripts in Ancient Armenian and 3,000 in other languages, principally Greek, Arabic and Farsi. It also holds many books translated into Armenian from other languages. The oldest Armenian manuscripts date back to the fifth century A.D. Although keeping the museum open entails considerable costs which the State is unable to cover, the research being conducted there continues without interruption. In 1996 Matenadaran participated in a number of international symposia of Armenian studies (France). An exhibition of manuscripts from the museum and an international symposium on the same subject were held at the National Library in Paris from June to October 1995. Matenadaran has also been responsible for a number of translations, accompanied by detailed commentaries, of Armenian works into English and French.

291. A number of Armenian architectural monuments have been presented to the UNESCO World Heritage Centre under UNESCO's "Proceed" programme for inclusion in the World Heritage List. This will provide an annual budget for the restoration and preservation of the monuments in question and will promote their inclusion in international tourism routes. A project of technical assistance (value US$ 10,000) in the conservation of ancient manuscripts at the Matenadaran Museum has been approved under the same programme. The museum is likewise to be included in the World Heritage List, which will provide fresh budget inputs for the conservation and study of its manuscripts.

292. The Modern Art Museum occupies a special place among Armenia's picture galleries. As the only museum of its kind in the former USSR, it has been bringing national and international modern art to the public since the 1970s and continues to do so today, creating the conditions for showing the works of representatives of non-traditional avant-garde schools of art.

293. An important role in aesthetic education is played by the Children's Picture Gallery. In addition to holding exhibitions of child art, the gallery

operates creative workshops in painting, sculpture, design, music, dance and other aesthetic pursuits. Exhibitions have been organized repeatedly in countries around the world and many delegations have been received from abroad. A show of Armenian Children's artworks was recently held with great success at UNESCO headquarters in Paris.

294. Armenia has two large State film studios and six independent private film studios. There are 162 regular cinemas seating a total of 48,704 spectators, as well as 642 other film installations.

295. In 1987 Armenia had over 100 research institutes and 200 design bureaux employing over 21,000 scientists. Since the disintegration of the Soviet Union the number of such establishments has dwindled owing to the breakdown of previous scientific contacts and lack of financial and technical means. Today there is a trend towards reconstruction in this sphere, albeit with considerable changes in terms of activities and forms.

296. The Presidential Decree of 1993 has found practical reflection in various decisions on the funding of the National Academy of Sciences. This year the Academy will receive funds under a special budget heading, separate from the scientific sphere as a whole, which will cover both regular funding and the award of grants for research in specific areas.

297. In the summer of 1995, the Executive Board of UNESCO approved a programme of assistance to Armenia in the sphere of education, science, culture, communication, information and computer science. A small computer-aided printing press was presented to the National Academy of Sciences under this programme.

298. In 1993 and 1994 more than 200 Armenian scientists received grants from the George Soros International Scientific Foundation. Twenty per cent of the total amount of these grants was awarded to heads of various establishments of the National Academy by way of basic funding. In 1995, the National Academy drafted and submitted to the Soros Foundation a long-term agreement on cooperation in the establishment of a scientific development plan. Funding for the plan is to be provided in equal parts by Armenia and the Soros Foundation.

299. The Catherine and John McArthur Fund (United States), which provides support for scientific research, has issued long-term grants to several Armenian scientists.

300. Intellectual property is placed under the protection of the State. The Ministry of Justice has a Patents Division which drafts normative acts on the protection of authors' copyright and industrial property, registers new patents and issues titles to protection under the copyright laws. Armenia is collaborating with international organizations in this sphere and particularly with WIPO.

301. In the nature conservation sphere, a new concept of ecological education has been developed. The following documents were adopted in 1991-1994: "Fundamentals of Armenian legislation on the environment";

Specially Protected Nature Zones Act; Air Protection Act; Land Code; Mineral Resources Code; Water Resources Code; Forest Resources Code.

302. Armenia is party to the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change; it participates in the Environment for Europe Programme and cooperates with EU and other countries, international banks and environmental organizations. In 1995, an agreement was concluded between the World Bank and the Armenian Government on the elaboration of a plan of action for restoring the ecological balance of Lake Sevan. The concluding stage of the reform process was marked by the adoption in 1995 of the Environmental Impact Assessment Act and the establishment of the Ministry of Ecology and Mineral Resources.

303. Armenia's mass media include the following:

50 editorial units within the National Television Company;

17 editorial units within the National Radio Company;

19 government and independent news agencies;

61 periodicals;

265 newspapers.

304. At the present time, the daily periodic press has a total print run of 40,000 copies (as compared with over 600,000 copies before 1990). In 1988, the Sovietakan Ayastan newspaper alone had a daily print run of 350,000. It should be noted that almost half of the periodic press in Armenia is published in Russian. The Ria Tza newspaper appears in Kurdish.

305. Armenian State Television broadcasts programmes in Armenian over four channels. In addition, there are three private channels. Television can be accessed by 99.8 per cent of the population as well as by the inhabitants of border areas and neighbouring countries. Armenian TV started broadcasting 30 years ago and has always been State owned, forming part of the Soviet television system. In recent years efforts have been made to establish bilateral cooperation with other television companies in Europe (Germany, Greece, Romania, France, Bulgaria, Russian Federation, Ukraine) and in Asia (Egypt, Islamic Republic of Iran, Syrian Arab Republic) through the Asian and Pacific Broadcasting Union (Armenia is a European State, but ITU has decided to place it in the broadcasting area of the Asian Broadcasting Union (ABU)). We also have 10 independent TV channels, most of them broadcasting in the provinces.

306. The State Radio Company broadcasts on short, medium and long waves in 11 languages to 57 countries. A recent development in the radio broadcasting sphere has been the growth of the independent FM sector. The most important stations are FM 105.5, FM 106.5, the recently registered FM 101.1 (owned by Armenpress), Radio France broadcasting over the French FM network, and the FM station operated by the Liberal-Democratic Party of Armenia (Ramkavar-Azatakan).

307. The first channel of the State Radio Network has for many years devoted a large proportion of its broadcasting time to programmes in Russian and Yezidi. Channel Two of State TV has a weekly programme in Russian. Both TV channels show films in Russian every day and retransmit programmes from the Russian ORT and RTR channels. Talks are held periodically on retransmissions from other channels.

308. Communication via the Internet is assured by two private commercial services, ARMINCO and INFOCOM. They have 500 subscribers, including government departments, Armenian and international organizations and private individuals.

309. Many cultural establishments, cultural centres of the national minorities, and charitable and other organizations have opened in Armenia in the last few years. The national minorities are represented in the National Assembly and other government structures. The new Government is to include a post of Adviser on National Minorities Affairs. The national minorities receive support from the State in the exercise of their right to the establishment of national cultural centres. The most important organizations of this kind are the Assyrians of Armenia Association, the Jewish Community of Armenia, the German Community, the Presidium of the Yezidi National Council of Armenia, the Garmonia International Centre of Russian Culture and the ROSMA Public Centre of Russian Youth.

310. Armenia has numerous creative associations, including the Unions of Composers, Architects, Writers, Film-Makers, Amateur Film-Makers, Journalists, Theatre Workers and Designers.

311. In 1995, the twenty-eighth session of the UNESCO General Conference adopted a resolution on the international commemoration of the 1700th anniversary of the proclamation of Christianity as the State religion of Armenia. The resolution was submitted by Armenia's UNESCO Committee. Armenia, mentioned in the Bible as "the kingdom of Ararat" (known in history as Urartu), was the first country to adopt Christianity as the State religion in 301 A.D. under the reign of King Trdat.

312. Armenia is also a participating State in the World Decade of Cultural Development.

313. Armenian medieval architecture, especially religious architecture, is distinguished by its great originality. Ruins of ancient Armenian cities and invaluable traces of different cultures - ancient Greece, Rome, the age of feudalism and the late Middle Ages - are preserved on Armenian soil today. Ancient ore mines and foundries, as well as irrigation systems, have been discovered.

314 The following action is planned in the sphere of preservation of monuments:

Expanding work on the reconstruction and re-equipping of well-known religious centres (monasteries);

Carrying out the necessary restoration work and improving the conditions of display in museums attached to ancient monuments (Erebuni, Zvartnots, Metsamor, Gladzor);

Continuing the work of inventorying and mapping all monuments;

Preparing and publishing a catalogue of historical and cultural monuments in Nagorny-Karabakh and adjacent areas;

Creating a data bank on cultural treasures present in the territory of the Republic of Nagorny-Karabakh.

315. Armenia is a party to the following UNESCO Conventions:

Convention for the Protection of Cultural Property in the Event of Armed Conflict;

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

Convention for the Protection of the World Cultural and Natural Heritage.

316. In the sphere of cooperation in the study of Armenian cultural and architectural monuments, relations between Armenia and Italy deserve particular mention. They are essentially the work of two Italian centres of Armenian studies, the centre for the study of Armenian architecture at the Faculty of Humanities of the University of Rome and the centre for the study and inventory of Armenian artworks at the Politecnico of Milan.

317. The Armenian Ministry of Culture, Youth Affairs and Sports and the Venice Centre for the study and inventory of Armenian artworks have concluded an agreement on the study, strengthening, restoration and partial reconstruction of the Marmashen architectural site. The same Ministry and the Ministry of Culture of the Islamic Republic of Iran have signed an agreement on the reconstruction and restoration of the "Blue" Mosque, an important monument of Islamic culture.